

ROSE HARVEY-SULLIVAN

Year of call
2015



Rose Harvey-Sullivan enjoys a busy practice encompassing a range of Chambers' specialities including clinical negligence, inquests, mental capacity (Court of Protection) and mental health, personal injury and human rights, particularly in relation to claims involving local authorities. She is ranked as a Rising Star in the Legal 500 directory, 2023 and 2024 editions.

Having a multi-disciplinary practice means that Rose often brings additional perspectives and expertise to a particular instruction, to the benefit of her client. She has particular experience of working with and for vulnerable clients, and is adept at dealing sensitively with clients who lack capacity, have disabilities, or are experiencing significant mental ill-health.

Rose is a General Editor and Contributor of *Coroners' Inquests and Investigations*, published in March 2021 by LexisNexis. She is currently preparing for the release of the second edition in spring 2025. She is also co-author of the Inquests and Court of Protection chapters in the *APIL Personal Injury: Law, Practice and Precedents Service*, and co-author of the Court of Protection chapter in the *Butterworths Personal Injury Litigation Service* looseleaf.

Rose's personal injury work includes acting for victims of modern slavery and trafficking, bringing claims for compensation to facilitate them in rebuilding their lives. In 2023 she co-founded the Trafficking Compensation Action Group along with Jamila Duncan-Bosu of ATLEU, a leading anti-slavery charity, to bring together practitioners working in this field and to help share information and resources.

Rose is committed to access to justice for all. In 2021, Rose was nominated for the Young Pro Bono Barrister of the Year. She currently volunteers for Advocate as a case reviewer and takes certain cases on a pro bono basis. She completed the Advocate pledge of 25 hours of pro bono in both 2023 and 2024.

Prior to coming to the Bar, Rose studied English Literature at Queens' College, Cambridge, and worked in prison reform in Bangladesh for the German government's development agency.

Rose is qualified to accept instructions directly from clients and is registered under the Bar Council's Public

Access Scheme, meaning that members of the public who seek specialist advice can come direct to her (via her clerks). In addition, she welcomes instructions from solicitors, in-house law departments, qualified foreign lawyers, and clients licensed by the Bar Council to give instructions direct to barristers under the Bar Council's Licensed Access Scheme. For more information please visit our Direct Access page [here](#).

LEGAL EXPERTISE

Personal Injury

Rose is an experienced advocate in respect of personal injury claims, particularly those involving complex medical injuries or psychological injuries. She is ranked as a Rising Star in the Legal 500 directory, 2023 and 2024 editions, where she is described as having 'very good medical knowledge and understanding of medical issues. She is able to deal confidently and authoritatively with experts... to a higher degree than her call would suggest'.

Rose is frequently instructed in matters involving allegations of physical or sexual abuse and negligence or human rights breaches resulting in personal injury, against local authorities. Rose practiced in public family law for several years before specialising in civil law, and this experience lends itself particularly well to cases involving allegations of negligence against local authorities in respect of children who were in care. In 2023 Rose, led by Steven Ford KC, successfully represented a County Council in defending a negligence and human rights claim for wrongful commencement of care proceedings in a two week High Court Trial: *ABC v Derbyshire County Council and Chief Constable of Derbyshire Police* [2023] EWHC 986 (KB). They also secured an order for costs in the Defendant's favour [2023] EWHC 1337 (KB).

Rose regularly acts for victims of modern slavery in claims for personal injury, unpaid wages, breach of human rights and assault against their former employers. She is known for her shrewd tactical approach to such cases, including advice on when to take interim steps such as applying for freezing injunctions to preserve the prospects of recovering compensation.

As a result of Rose's experience in the Court of Protection she is particularly adept at representing and advising clients who lack capacity or who are vulnerable, and is alive to the sensitivities and additional considerations such claims can bring.

As well as running her own high value cases, Rose is routinely instructed as a junior in very high value or complex personal injury cases and has been led by various members of Chambers including Simeon Maskrey KC, Steven Ford KC and Adam Weitzman KC.

Clinical Negligence

Rose is ranked as a Tier 1 Rising Star in the field of Clinical Negligence in the Legal 500, 2023 and 2024 editions: 'Rose has very good medical knowledge and understanding of medical issues. She is able to deal confidently and authoritatively with experts... to a higher degree than her call would suggest'.

Rose has a particular interest in mental health and disability, and is often instructed to act in claims where the client has physical/learning disabilities or serious mental health issues. Rose's experience in the Court of Protection lends itself to the representation of clients who lack capacity. She is alive to the sensitivities and additional considerations such claims can bring.

Rose also frequently acts in linked clinical negligence and inquest proceedings on behalf of families; she is particularly experienced in inquest matters and is a General Editor and co-contributor of *Coroners' Inquests and Investigations*, published in March 2021 by LexisNexis (<https://tinyurl.com/vytkbbfc>). Rose is currently working on the second edition, which is due out in spring 2025. As a result of her busy inquest practice Rose is confident and assertive in a Court setting.

As well as conducting her own negligence claims on a routine basis, Rose is frequently instructed as a junior in very high value or complex claims involving catastrophic injuries and has been led by several leaders in the field including Simeon Maskrey KC and Adam Weitzman KC.

Recent cases have involved failures to provide adequate mental health care in clinical and community settings; mismanagement of care for individuals with significant learning disabilities; cerebral palsy claims; catastrophic brain injury; misdiagnosis and mismanagement of cancer; delayed and negligent A&E treatment; and negligent surgery to all areas of the body.

Rose has previously been seconded to the Nursing and Midwifery Council, where she acted on behalf of the Council to present the case in Fitness to Practice trials.

Public Law

Rose is frequently instructed to advise and represent clients in respect of claims involving breaches of human rights, such as the wrongful commencement of care proceedings, a failure to commence proceedings, or alleged wrongful changes to education and care packages. Given her background in public family law she is particularly well placed to advise clients as to their prospects of success and is able to manage expectations from the outset.

In 2023 Rose, led by Steven Ford KC, successfully represented a County Council in defending a negligence and human rights claim for wrongful commencement of care proceedings in a two-week High Court Trial: *ABC v Derbyshire County Council and Chief Constable of Derbyshire Police* [2023] EWHC 986 (KB). They also secured an order for costs in the Defendant's favour [2023] EWHC 1337 (KB).

Rose also advises and represents clients in respect of judicial reviews that arise in other areas of her practice. For instance, Rose has advised family members as to the options for judicially reviewing decisions taken by NHS Trusts not to treat particular patients. She has also advised on judicial review in respect of various decisions taken by Local Authorities as part of care proceedings.

Rose regularly acts for victims of modern slavery in claims for personal injury, unpaid wages, breaches of human rights and assaults against their former employers. For instance in April 2021, she and James Robottom obtained substantial settlements for two clients against companies after securing freezing injunctions against the defendants and their associated companies in the High Court

(<https://athub.org.uk/knowledge-base/blogs-compensation/#human-trafficking-survivors-settle-claims-after-successful-freezing-injunction-application>).

Rose also accepts instructions in respect of public inquiries. In 2018-2019, Rose worked as junior counsel to the Grenfell Inquiry. Here, she took an active role as part of a small team of counsel assisting in preparing and calling evidence from survivors and relatives, and drafted the report during phase one of the Inquiry.

Court of Protection

Rose has a particular interest in mental capacity and the Court of Protection, and enjoys a busy practice in this area. She is instructed by the full range of parties, including on behalf of 'P' through litigation friends (such as the Official Solicitor), wider family members, a range of Local Authorities and NHS Bodies. She also receives instruction in cases invoking the inherent jurisdiction in respect of children with special needs. Rose has appeared on many occasions in related jurisdictions including the Family and High Courts with regard to COP matters. She is particularly adept at representing young people in Court of Protection proceedings as a result of having practiced in public family law for several years.

Rose has been instructed in a wide variety of Court of Protection cases, ranging from issues including: capacity to consent to sexual relations; financial arrangements; the appointment or removal of deputies; medical treatment; and accommodation issues. Rose's experience in clinical negligence (often involving people with disabilities) lends itself to Court of Protection work involving complex medical issues. She is ranked as a tier 1 rising star in Clinical Negligence in the Legal 500, 2023 and 2024 editions, which states 'Rose has very good medical knowledge and understanding of medical issues. She is able to deal confidently and authoritatively with experts... to a higher degree than her call would suggest'.

Rose is a member of the Court of Protection Bar Association.

Inquests & Inquiries

Inquests are a major part of Rose's practice. She has particular experience and interest in inquests involving mental health or disabilities, especially learning disabilities. She has acted in dozen of such inquests, and often successfully supports families in seeking findings that their loved one died as a result of neglect, and/or in seeking a Report to Prevent Future Deaths in order to try and achieve change for others.

Rose also frequently acts in inquests dealing with deaths in clinical settings more widely. Rose has an established clinical negligence practice and is ranked as a Tier 1 Rising Star in the Legal 500, (2023 and 2024 editions) in this area. Many of her negligence cases arise from inquests into deaths in hospitals, or following medical intervention (such as GP attendances). Comments include: 'Rose has very good medical knowledge and understanding of medical issues. She is able to deal confidently and authoritatively with experts... to a higher degree than her call would suggest'. Rose is similarly confident when questioning doctors, clinicians and experts in an inquest setting.

Rose's Court of Protection and public family law work means she has particular experience of working with individuals with learning or physical disabilities, and mental health difficulties, and is familiar with what kinds of

support should have been available to someone dealing with such issues. This lends itself to establishing particularly effective lines of questioning at inquests.

Rose is a General Editor and Contributor of *Coroners' Inquests and Investigations*, published in March 2021 by LexisNexis (<https://tinyurl.com/vytkbbfc>). She and the team are currently working on the second edition which is due to be published in spring 2025.

Rose accepts pro bono instructions to represent families at inquests through INQUEST and Advocate.

Through 2018 and 2019, Rose was instructed as junior counsel to the Grenfell Tower Inquiry. She took an active role as part of a small team of counsel assisting in preparing and calling evidence from survivors and relatives, and drafted the report during phase one of the Inquiry. She continues to accept instructions in respect of public inquiries.

Modern Slavery & Anti-Trafficking

Rose accepts instructions to represent claimants in all aspects of civil anti-trafficking and modern slavery claims, in particular compensation claims. These include CICA claims, and claims for personal injury, lost earnings, breach of contract, breach of human rights and assault against former employers/traffickers. She routinely accepts instructions through solicitors and charities, such as ATLEU.

Rose's multi-disciplinary practice lends itself particularly well to claims of this nature, since they involve so many areas of law, including human rights claim, breach of contract, negligence, employment law and criminal law. In addition, Rose's work in the Court of Protection and in personal injury/clinical negligence with clients with mental health difficulties means that she is well placed to work empathetically and sensitively with vulnerable victims in modern slavery cases who may have experienced trauma.

In 2023 Rose co-founded the Trafficking Compensation Action Group along with Jamila Duncan-Bosu of ATLEU, a leading anti-slavery charity, to bring together practitioners working in this field and to help share information and resources.

In 2021, James Robottom and Rose obtained substantial settlements for two clients against companies after securing freezing injunctions against the defendants and their associated companies in the High Court (<https://athub.org.uk/knowledge-base/blogs-compensation/#human-trafficking-survivors-settle-claims-after-successful-freezing-injunction-application>). Rose conducted a detailed search into the claimants' former employers and their companies, and identified a number of ways in which they had attempted to hide assets; this led to the successful application for the freezing injunctions.

Rose has deployed a similar approach in subsequent claims to great effect.

Rose considers pro bono instructions in certain cases; please contact her clerks for more details.

Awards



Memberships

- Court of Protection Bar Association
- Inquest Lawyers Group
- Personal Injury Bar Association
- Young Legal Aid Lawyers
- Family Law Bar Association