



## ROSE HARVEY-SULLIVAN

Year of call  
2015

Rose Harvey-Sullivan enjoys a busy practice encompassing a range of chambers' specialities, including Court of Protection, Personal Injury, Clinical Negligence, Inquests and Family law.

Rose is trained to conduct cases on a direct access basis.

Rose's advocacy has been praised by Judges in Court as "clear and confident...[she] courageously and attractively advanced [her] cause" (Kingston Crown Court). Solicitors have commented that Rose is "fantastic to work with... she has always been well prepared for hearings and clients have commented on how at ease she has made them feel" (Mullis & Peake).

Rose studied English Literature at Queens' College, Cambridge, graduating with a First Class degree. Following her studies, Rose initially worked in Dhaka, Bangladesh, as part of the Rule of Law team at Deutsche Gesellschaft für Internationale Zusammenarbeit (the German government's development agency). She undertook research in conjunction with the Bangladeshi government into legislative reform, including regarding bail. She also assisted in running a country-wide awareness campaign on how incarceration can affect women and girls.

### LEGAL EXPERTISE

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#### Personal Injury

Rose regularly represents both claimants and defendants in fast track and multi-track trials and hearings in the County Courts and High Courts. She has experience in a range of employers', occupiers' and product liability matters.

She also has a busy paperwork practice and regularly advises on liability, evidence and quantum in cases involving six figure sums. Rose also frequently drafts pleadings in a range of civil disputes. Rose is also instructed to conduct appeals both regarding liability and quantum.

Rose is presently instructed as a junior to a silk in a very high value personal injury case which also involves complex Court of Protection issues. Rose represents the claimant, who does not have capacity to conduct proceedings themselves.

Additionally, Rose has experience with historic abuse claims, including drafting advices and pleadings.

## Clinical Negligence

Rose has a keen interest in clinical negligence work and accepts instructions both in respect of advocacy and paperwork, including advices, drafting pleadings and schedules of loss.

Rose has a particular interest in mental health and has previously acted in linked clinical negligence and inquest proceedings on behalf of families whose relatives were dealing with serious mental health issues at the time of death. Her interest in mental health is furthered through her significant Court of Protection practice.

Rose's clinical negligence work is informed both by the 6 months she spent seconded to the Nursing and Midwifery Council in 2017, where she conducted back-to-back trials regarding the conduct of nurses and midwives. Rose quickly came to be considered as a particularly capable advocate by the Council and by Panel Members, and she was allocated complex cases. Several of these trials lasted two weeks or longer and involved expert witnesses. Rose is therefore exploring and challenging the evidence of experts both in conference and at trial.

## Family Law

Rose accepts instructions in respect of public and private children proceedings including care proceedings, domestic abuse matters and in applications (including ex parte and urgent applications) for child arrangements orders, residence orders, occupation orders and prohibited steps orders. She appears for Local Authorities, parents and for children.

In 2019 Rose appeared before the President of the Family Division on behalf of an intervenor in an international stranding case, alongside three silks. Her client, an aunt, was accused of abusing her nephews and nieces. Following a two week trial the findings sought against Rose's client were dismissed.

Over a period of some years, Rose has represented a father with a murder conviction in lengthy private law children proceedings; he faced allegations of serious domestic abuse and the mother had made seven different applications, some of them ex parte, over a period of 10 months. She was seeking to prevent the father having contact with her and the parties' children. Following the five-day fact-find, all the mother's applications were dismissed, with the Judge making negative findings against the mother's conduct. The father was eventually granted extensive contact with his two children, and Rose secured a two-year banning order against the mother, preventing her making further applications without the Court's permission. Rose also obtained a costs order against the mother for part of the proceedings.

Rose has a good deal of experience in direct access family law matters relating to children/custody, and recently successfully represented a mother of Spanish nationality who made an application to relocate with her child to Spain, which was resisted by the father (a British national). In advance of the trial Rose provided advice to the mother in relation to additional evidence she should obtain and file, including highly relevant medical information. At trial, this evidence then played a pivotal role in the Judge's decision to allow the application.

## Regulatory & Professional Discipline

Rose accepts instructions in relation to any medical and nursing regulatory work, both for and against the Regulator.

In 2017 Rose was seconded to the Nursing and Midwifery Council for 6 months, where she conducted back-to-back trials regarding the conduct of nurses and midwives. Rose quickly came to be considered as a particularly capable advocate by the Council and by Panel Members, and she was allocated complex cases. Several of these trials lasted two weeks or longer.

Rose's regulatory practice is informed by her clinical negligence and Court of Protection work.

## Public Law

Rose accepts instructions on behalf of protected parties, family members and local authorities in respect of Court of Protection proceedings, matters in the SEND Tribunal (with respect to special educational needs and disability law) and at inquests.

Rose has also advised family members as to the options for judicially reviewing decisions taken by NHS Trusts not to treat particular patients.

Rose volunteered part-time as a classroom assistant at a special educational needs school for several years, so is particularly well-placed to understand and represent parties in matters in the SEND Tribunal and where protected parties have complex personal and educational needs.

Rose is a member of Young Legal Aid Lawyers, and accepts pro bono instructions from Advocate and the Inquest Lawyers Group.

## Court of Protection

Rose has a particular interest in the Court of Protection and has established a busy practice in this area. She is instructed on behalf of protected parties (including by the Official Solicitor), wider family members, a range of Local Authorities, and NHS bodies.

Whilst most of her work relates to welfare decisions, Rose is also instructed in cases in respect of property and affairs, especially in respect of deputyships and powers of attorney. She also receives instruction in cases invoking the inherent jurisdiction in respect of children with special needs, and Rose is particularly adept at representing young people in Court of Protection proceedings.

When at court, Rose's practice is to focus on facilitating practical and collaborative discussions with other parties to ensure that Ps' interests are promoted first and foremost, where possible without resulting in conflict. However, given her experience in public family law, Rose is well used to dealing with fact-finds when necessary.

Rose's considerable experience of medical evidence as part of her clinical negligence practice informs her Court of Protection work. This means she is well able to work with, and if necessary challenge, evidence in cases involving significant or complex medical treatment.

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

## Inquests & Inquiries

Rose accepts instructions in respect of both inquests and inquiries. Rose is presently representing a number of families in coronial proceedings, covering matters from mental health difficulties to complex medical inquests involving co-morbidities.

Rose accepts pro bono instructions through the Inquest Lawyers Group.

Through 2018 and 2019 Rose was instructed as junior counsel to the Grenfell Tower Inquiry and took an active role in assisting in preparing and calling evidence, and drafting the report, during phase one.

Rose is co-author of the 2019 APIL Lexis Nexis loose-leaf chapter on Inquests.

## Memberships

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- Court of Protection Bar Association
- Inquest Lawyers Group
- Personal Injury Bar Association (Rose also sits on the PIBA Committee)
- Young Legal Aid Lawyers