



1 CROWN OFFICE ROW

Henry Witcomb QC

Call: 1989 QC: 2016



Henry Witcomb QC has a practice specialising in clinical negligence, personal injury, public authority liability and inquest representation. He has been involved in several of the leading cases in these fields and is highly recommended by Chambers & Partners and Legal 500.

A significant amount of the work in both the clinical negligence and personal injury fields has involved participation in several multi-party actions, a number of which have involved claimants residing abroad. Principally these actions have involved the abuse and care of children but also involving other classes of personal injury and clinical negligence claimants.

"Deals with the most complex of cases and always hits the right spot." "Totally dedicated to the client and the case."

Legal 500 2021

"Henry is a tenacious advocate who is not afraid to tackle difficult cases. He has a broad knowledge of both the legal and medical aspects of claims and provides balanced and pragmatic advice. He also has a very sympathetic and understanding manner with clients."

Chambers & Partners 2020

"He's very intuitive, insightful, good with clients and also a very good negotiator. He's exceptionally good and very astute." "Incredibly hard-working, very bright and extremely dedicated to the client."

Chambers & Partners 2020

Clinical Negligence

In the clinical negligence field, Henry has particular expertise in dealing with cases involving birth-related catastrophic injury, and claims involving wrongful death and wrongful birth.

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Selected Cases

- **Settlement for Herpes Simplex virus (2018):** Record £37m clinical negligence settlement for catastrophic brain injury.
- **ABC v St George's Healthcare NHS Foundation Trust [2017] EWCA Civ 336.**
- **JMX v Dartford & Gravesham NHS Trust [2015] EWCA Civ 96.**
- **P (by his litigation friend the Official Solicitor) v Cheshire West and Chester Council & Anor [2014] UKSC 19.**
- **XYZ v Portsmouth Hospital NHS Trust [2011] EWHC 243 (QB).**
- **Ndiki Mutua & others v The Foreign and Commonwealth Office [2012] EWHC 2678 (QB).**
- **X, Y & Z v UK [2011] ECHR 1199.**
- **X & Y v London Borough of Hounslow [2008] EWHC 1168, EWCA Civ 286.**
- **A v Iorworth Hoare [2008] UKHL 6.**
- **Rowe v Dolman [2008] EWCA Civ 1040.**
- **H v Thomson Holidays Ltd [2007] EWHC 850 (QBD).**
- **A (by C) v B [2006] EWHC 1178 (QB).**
- **Kotke v Saffarini [2005] EWCA Civ 221.**
- **Sowden v Lodge and Crookdake v Drury [2004] EWCA Civ 1320.**
- **Slater v Buckinghamshire County Council and anr [2004] EWCA Civ 1478.**
- **McDonnell v Congregation of Christian Brothers Trustees (Formerly Irish Christian Brothers) & Anor [2004] 1 A.C. 1101.**
- **Royal Victoria Infirmary & Associated Hospitals NHS Trust v B (A child) [2002] Lloyd's Rep Med 282.**
- **R v Criminal Injuries Compensation Panel ex parte Soper, Lawtel 12.12.02.**
- **Heil v Rankin [2000] 2 W.L.R. 1173.**
- **Britland v East Midland Motor Services Ltd 01.04.98 unreported CA.**

Multi-party Actions

- **Finsbury Park Mosque Group Claim.**
- **Various Claimants v Estate of Lord Greville Janner**
- **Various Kenyan, Ugandan & UK Claimants v Estate of Simon Wood & British Airways Plc**
- **Various Claimants v Estate of Sir James Savile**

- **Various Claimants v Ian Paterson, Spire Hospital, Heart of England Foundation Trust**
- **Various Kenyan & UK Claimants v Simon Harris & Shebbear College**
- **Various Kenyan Claimants v The Foreign and Commonwealth Office** (first 'Mau Mau' group claim.)
- **JMC/Airtours litigation** (acted on behalf of 3 groups of claimants numbering 764 in total, who have suffered injury whilst on holiday abroad)
- **Forde Park School** (80 cases)
- **Barlavington Manor** (15 cases)
- **South Wales NCH litigation** (35 cases)
- **Ivydale Children's Home** (15 cases)
- **Badgeworth Court School** (14 cases)
- **St Leonard's Children's Home** (25 cases)
- **Sunderland Homes Group litigation** (56 cases)
- **Longcare Homes litigation** (55 cases)
- **Staffordshire Homes I** (150 cases)
- **Birmingham Homes Group litigation** (101 cases)
- **Pitt House litigation** (15 cases)
- **Olands litigation** (10 cases)
- **Wessington School** (30 cases)
- **Green Field House School** (9 cases)

Personal Injury

Henry's work has focused in particular on catastrophic spinal and brain injuries. He has been frequently instructed to act on behalf of the Official Solicitor to represent the interests of claimants who lack capacity. This work has increasingly involved exploration of the overlapping obligations of tortfeasors and state bodies, health, social services and education authorities, to claimants. He also has wide-ranging experience in other sub-fields including many years' experience of all types of case including those involving employer's liability, road accident and criminal injuries.

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Inquests

Henry also has extensive experience representing families and other interested parties in inquest proceedings, including health professionals. Most recently he represented the family of Horatio Chapple, who died during an expedition to Svalbard; and Grace Roseman, who died due to a defect in her bedside sleeper cot.

Selected Cases

- **Inquest into the death of Robert Entenman:** city banker who died at London Bridge Hospital due to neglect.
- **Mager Inquest**
- **Roseman Inquest**
- **Horatio Chapple Inquest**
- **Ndiki Mutua & Others v The Foreign & Commonwealth Office [2012] EWHC 2678 (QB)**
- **A v Iorworth Hoare [2008] UKHL 6**
- **Various Claimants v Estate of Lord Greville Janner.**
- **Various Kenyan, Ugandan & UK Claimants v Estate of Simon Wood & British Airways Plc.**
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Awards

- Chambers & Partners Personal Injury / Clinical Negligence Junior of the Year (2015)

Education

- BA (Hons) Law

Memberships

- AVMA
- PNBA