

Andrew Roy KC

Call: 2002

Silk: 2023

roy@12kbw.co.uk



AREAS OF EXPERTISE

Personal Injury, Costs & Litigation Funding, Clinical Negligence, Industrial Disease, Professional Negligence, Limitation, Fraud, Police Claims, Insurance, Group Litigation, Public Authority Liability, Abuse, Product Liability, International & Travel

JUDICAL APPOINTMENTS

Deputy Costs Judge of the Senior Courts (2021)

Andrew specialises in complex, sensitive and high value cases involving personal injury (especially catastrophic claims), costs, clinical negligence, industrial disease, professional negligence, limitation and related areas.

Andrew has a significant appellate practice up to and including the Supreme Court and Privy Council. He is head of the 12KBW Costs Team. He sits as a Deputy Costs Judge of the Senior Courts.

Andrew is recognised as a leading silk for Personal Injury and Costs by both Chambers & Partners and the Legal 500, having been ranked since 2009. They note that he has “A razor-sharp intellect coupled with an encyclopaedic knowledge of the case law, who is able to combine both into dazzling and fearless advocacy” and is “a great choice of counsel when you know you have a fight on your hands”.

The directories further describe Andrew as “a great strategist with an eye for the big picture at all times”, “absolutely first class”, “a ferocious advocate”, “Exceptional” with a “phenomenal grasp of the law” and “an incredibly detailed knowledge of each area in which he specialises”.

As one of only a handful of barristers ranked by the directories in both personal injury and costs, Andrew brings in-depth crossover expertise to both his personal injury cases and his costs work. The directories note that in respect to personal injury he is “a strong negotiator and has the added value of real costs expertise”. They likewise note that in respect of costs he “draws strength to his practice through his personal injury expertise.”

Andrew is Head of Pupillage at 12KBW.

International & Travel

Andrew accepts instructions in cases with an international element. His previous cases in this area include **Dawkins v Carnival plc**, **X v Kuoni Travel Ltd** and a novel claim arising out of asbestos exposure in South Africa (see **Interesting Cases** section for more details). He is currently instructed in litigation involving over 1,700 claims arising out of a devastating flood in Malawi.

Directories

"In court he is quite outstanding, a dogged and pugnacious performer." – (Chambers & Partners, 2025)

"He has an encyclopedic knowledge and the ability to digest and advise upon significant volumes of documents very efficiently." – (Chambers & Partners, 2025)

"Andrew has an encyclopedic knowledge of costs and 'on the ground' experience from his judicial role." (Chambers & Partners 2025)

Phenomenal grasp of the law, substantive and procedural. He has an incredibly detailed knowledge of each area in which he specializes (Legal 500, 2025)

Andrew is absolutely first class on costs. His knowledge of the relevant caselaw is encyclopaedic and his written advocacy is second to none. (Legal 500, 2025)

"He is a ferocious advocate in court." (Chambers & Partners 2024)

"He is incredibly bright and tenacious – an excellent choice of counsel." (Chambers & Partners 2024)

"Andrew Roy is fiercely intelligent and constructs great skeleton arguments" (Chambers & Partners 2024)

"Andrew Roy is committed to each case like no other and delivers firm, sensible advice at any juncture." (Chambers & Partners 2024)

"Encyclopaedic knowledge of costs principles and case law; Andrew is highly persuasive and a formidable advocate." (Legal 500 2024)

"A leading light on costs who gets terrific results, he has a total mastery of the rules and the case law." (Legal 500 2023)

"First-rate ... Total mastery of the detail is the mark of his preparation." (Legal 500 2023)

"He has a great ability to distil the most complex legal arguments." (Chambers & Partners 2023)

"Andrew impresses with his robust advocacy, commercial acumen, and speed of delivery of well-thought-out and astute advice." (Chambers & Partners 2023)

"A razor-sharp intellect coupled with an encyclopaedic knowledge of the case law, who is able to combine both into dazzling and fearless advocacy." (Legal 500 2022)

"Brings an impressive expertise to these cases and deals with them in a forensic and impressive manner. He gets outstanding results." (Chambers & Partners 2022)

"He is very thorough, approachable and personable. He has great attention to detail and excellent analytical skills." (Chambers & Partners 2022)

"Exceptional – he is straight to the point, technical and an all-round great barrister." (Chambers & Partners 2022)

"He is very thorough, persistent and persuasive in court." (Chambers & Partners 2021)

"He is particularly adept at handling CFAs and detailed assessments. He is also routinely called upon to advise clients on cost appeals and has significant experience of appearing before the Court of Appeal. He draws strength to his practice through his personal injury expertise." (Chambers & Partners 2021)

"A very tenacious and determined advocate who's your man for a tough fight." (Chambers & Partners 2021)

"He's comprehensive in how he approaches cases and is very straightforward, tactically astute and always fully prepared." (Chambers & Partners 2021)

"He is very bright and determined." (Chambers & Partners 2021)

"His skeleton arguments are detailed and insightful, such that he's almost won the battle before he pitches up at court." (Chambers & Partners 2021)

"Knowledgeable, bright and advises with a great deal of common sense" (Legal 500 2021)

"He is a strong negotiator and has the added value of real costs expertise." (Legal 500 2020)

"His advocacy is well paced and always well received." (Legal 500 2020)

"He is legally savvy and willing to fight a tough case." (Chambers & Partners 2019)

"Utterly dependable and a great advocate" (Chambers & Partners 2018)

"Takes on complex cases and commits to them with energy and vigour" (Chambers & Partners 2018)

"He's quite happy taking on complex brain and spinal cases ... He's very thorough and a good negotiator with confidence in the courtroom. He's someone who's prepared to take risks and the extra mile for clients on CFAs" (Chambers & Partners 2017)

"instructed in complex industrial disease litigation and brings an impressive grasp of limitation law to personal injury claims" (Chambers & Partners 2017)

"A fierce advocate, who is very bright but also practical" (Legal 500 2017)

"Valued by instructing solicitors for his combination of substantial personal injury expertise and his considerable knowledge of costs issues" (Chambers & Partners 2016)

"noted for his expertise in claims concerning RSI and other upper limb ailments" (Chambers & Partners 2016)

"He is a great choice of counsel when you know you have a fight on your hands" (Chambers & Partners 2016)

"He leaves no stone unturned to get to the right result" (Legal 500 2016)

"An astute tactician who ensures that claims are presented in the best possible light" (Legal 500 2016)

"He has extensive experience in occupational disease claims and a strong knowledge of asbestos and RSI/HAVS claims" (Chambers & Partners 2015)

"A fighter who will take on cases others won't" (Legal 500 2015)

Interesting Cases

Attersley v UK Insurance Ltd [2025] EWHC 884 (KB); appeal on the interplay of fixed costs and Part 36.

Palmer v Timms [2024] EWHC 2292; liability in a fatal road traffic accident.

Zanatta v Metroline Travel Ltd [2023] EWCA Civ 224; [2023] RTR 26 – appeal as to bus driver's duty of care to a pedestrian.

Mathieu v Hinds (No. 2: Costs) [2022] EWHC 1624 (QB); appropriate costs order where an injured artist who claimed over £33M recovered a little over £3M. The first reported judgment to consider the efficacy of a full and final offer where a claimant obtains provisional damages.

Mathieu v Hinds (Rev 1) [2022] EWHC 924 (QB); PIQR Q4 brain injury claim by an artist for £33 million, giving rise to important, legally complex and novel points as to foreign tax on loss of earnings and provisional damages for epilepsy (instructed on appeal).

Ho v Adekun (No. 2) [2021] UKSC 43; [2021] 1 WLR 5132; landmark Supreme Court appeal on the QOCS and set off which prompted a radical revision of the QOCS rules.

X v Kuoni Travel Ltd [2021] UKSC 34; [2021] 1 WLR 3910; instructed on costs following the Supreme Court's judgment on a claim brought under the 1992 Package Travel Regulations for sexual assaults committed by a hotel employee in Sri Lanka.

Green v Generali FA and Kimmins [2021] 11 WLUK 393; novel and important point regarding the apportionment of costs in overlapping claims.

Finsbury Food Group Plc v Dover [2020] EWHC 2176 (QB); [2020] 1 WLR 4496; appeal as to the recoverability of counsel's fees under the fixed costs regime.

Deepchand v Sooben [2020] EWCA 1409; [2020] Costs LR 1633; appeal as the correct costs order following the refusal of a non-party costs order on the grounds of proportionality.

Ho v Adekun (No. 1) [2019] EWCA Civ 1988; [2019] Costs LR 1963; important appeal on the application of the fixed costs regime.

Higgins & Co Lawyers Ltd v Evans [2019] EWHC 2809 (QB); [2020] 1 WLR 141; appeal on the enforceability of a CFA following death.

NJL v PTE [2018] EWHC 3570 (QB); [2018] 6 Costs LR 1389; appeal on the correct approach to the assessment of success fees in catastrophic claims.

Page v RGC Restaurants Ltd [2018] EWHC 2688 (QB); [2019] 1 W.L.R. 22; appeal on the effect of filing an incomplete costs budget and on the court's jurisdiction to grant relief of its own motion.

GL v PM [2018] EWHC 2268 (QB); appeal concerning the interaction between security for costs and QOCS.

XY v Ingenious Media Holdings Ltd [2018] EWHC 350 (QB) Occupational stress claim strike out appeal considering the scope of compromise agreements, mental capacity and the impact of impecuniosity on Ladd v Marshall.

Marsh v Ministry of Justice (Costs) [2017] EWHC 3185 (QB); conduct, indemnity costs, and the interplay between Part 36 and the change in the discount rate. (Appeal on the Part 36/discount rate point subsequently allowed by consent).

Marsh v Ministry of Justice [2017] EWHC 1040 (QB): 15 day High Court trial of an occupational stress claim involving allegations of criminal misconduct.

Flint v (1) Tittensor (2) MIB [2015] EWHC 466 (QB) [2015] 1 W.L.R. 4370; high profile claim for vehicular trespass to

the person entailing consideration of the criteria for battery, self-defence, *ex turpi causa* and *volenti non fit injuria*.

Wembridge and others v Winter and others [2013] EWHC 2331 (QB): multiple claims arising out of a mass explosion at a fireworks factory addressing operational immunity and the duty and standard of care of emergency services.

The Chief Constable of Hampshire Police v Taylor [2013] EWCA Civ 496; [2013] ICR 1150: appeal concerning the applicability of the Personal Protective Equipment Regulations 1992; burden of proof and causation; issue based costs orders.

Blair v The Chief Constable of Sussex Police [2012] EWCA Civ 644; (2012) 156(20) S.J.L.B. 31; [2012] I.C.R. D33: appeal on the application of the Personal Protective Equipment Regulations 1992 to police training.

Dawkins v Carnival plc (t/a P & O Cruises) [2011] EWCA Civ 1237; [2012] 1 Lloyd's Rep. 1: appeal on the application of the evidential burden of proof in respect of a slipping accident in international waters.

Aktas v Adepta, Dixie v British Polythene Ltd [2010] EWCA Civ 1170; [2011] QB 894: leading case on the interaction of the Limitation Act, service rules and abuse of process.

Jones v Norfolk CC [2010] EWHC 1313 (QB): limitation in a claim for occupational lead poisoning.

Qamili v Holt [2009] EWCA 1625: appeal regarding driver's duty of care towards a pedestrian.

Parmar v Big Security Company Ltd [2008] EWHC 1414 (QB): a nightclub doorman's assault on a customer.

OCS Group Ltd v Wells [2008] EWHC 919 (QB); [2009] 1 WLR 1895; [2008] 4 All ER 818; [2008] P.I.Q.R. P18; (2008) LS Law Medical 386; (2008) 103 BMLR 17: leading case on pre-action disclosure of medical records.

Ali v Al-Basri and Al-Basri [2004] EWHC 2608 (QB); [2004] All ER (D) 290 (Nov): a complex claim involving constructive trusts and illegality.

Young v Western Power Distribution (South West) Limited [2003] EWCA Civ 1034; [2003] 1 W.L.R. 2868; [2004] P.I.Q.R. P4; (2003) 100(36) L.S.G. 43; (2003) 147 S.J.L.B.; The Times 19/08/2003: limitation and estoppel in fatal accident claims.

Qualifications & Awards

Newcastle University:

LLB (First Class Honours)

MA (Twentieth Century Literature)

Bar Council: *Law Reform Committee Essay Prize – First Prize, Category A (2003)*

Lincoln's Inn: *Walter Wigglesworth Scholarship, Hardwicke Scholarship*

Newcastle University: *J H Rennoldson Memorial Prize* (highest mark in the final year), the *Sweet & Maxwell Prize* (highest mark in the second year), *Incorporated Law Society of Newcastle upon Tyne Prize* (equity), *Emsley Prize* (jurisprudence)

Publications

Personal Injury Limitation Law (co-author) Bloomsbury (2020)

Asbestos: Law & Litigation (contributor) Sweet & Maxwell (2022)

He has published numerous articles in various legal journals.

Appointments & Memberships

- Deputy Costs Judge of the Senior Courts
- Qualified Advocacy Trainer
- Head of 12KBW costs team
- Head of the pupillage committee at 12KBW
- Member of Lincoln's Inn, the Personal Injuries Bar Association, the Professional Negligence Bar Association and the London Common Law and Commercial Bar Association.

Outside Interests

Andrew is a keen runner. He is a member of Putney Running Club. He has completed 29 marathons (including all the World Majors, gaining admission to the Six Star Finishers Hall of Fame), raising money for Headway, the RFU Injured Players Foundation, Breast Cancer Research, CLIC Sargent and Scope.

He is also an avid follower of (and occasional participant in) other sports. He is a passionate rugby supporter and a member of Medicals RFC and Rosslyn Park FC. His other interests include wildlife and literature.