DEANS COURT CHAMBERS

Joseph Price

2019 Middle Temple, jprice@deanscourt.co.uk



Education	Professional Associations	Appointments
The University of Manchester – Law LLB (First Class) BPP University – BPTC (Outstanding)	Personal Injuries Bar Association Court of Protection Practitioners Association	Attorney General's Junior Barrister Scheme Advocate (formerly the Bar Pro Bono Unit)

Areas of Specialism
Personal Injury
Clinical Negligence
Family Finance
Civil and Insurance Fraud

Profile

Having joined Chambers in 2020, Joseph has built a busy practice split between Family Finance and Civil work.

Personal Injury & Clinical Negligence

Joseph had a broad personal injury practice, representing claimants and defendants at interim hearings, CCMCs and trials. He is frequently instructed to provide advice and draft pleadings in fast and multi-track

cases and has appeal experience.

Recent clinical negligence cases have included delayed diagnosis, failure to obtain informed consent and dental negligence. He acts on both sides of the litigation and has experience of representing families at inquests where a subsequent civil claim is anticipated.

Joseph has experience in a range of civil litigation and procedural hearings, including CCMC's involving a wide variety of civil disputes.

Family Finance

Joseph has a growing matrimonial finance practice. He accepts instructions in all aspects of financial remedy proceedings and regularly acts at FDA, interim applications, FDR and final hearings where necessary. His civil background means he is also well-placed to deal with cohabitation disputes and applications pursuant to TOLATA 1996.

Notable Cases

Gulf View Medical Centre Limited (1) & Roopchand (2) v Tesheira (Trinidad and Tobago) [2022] UKPC 38

Practice Area: Judicial Committee of the Privy Council

Consideration of a number of issues pertaining to expert evidence, the range of opinion, CPR35 compliance etc. in the context of a fatal clinical negligence claim in Trinidad.

In April 2004, Mr Tesheira, a former captain of the Trinidad football team, underwent a TURP procedure under the care of a Dr Goetz at Gulf View Medical Centre in San Fernando, Trinidad. Dr Roopchand was the anaesthetist. Unfortunately, Mr Tesheira developed heavy bleeding after the surgery and, despite the efforts of various doctors, died. The claim against Dr Goetz having been compromised, the action proceeded against the Medical Centre and Dr Roopchand. At the conclusion of the Claimant’s case, the Defendants, represented by Mary O’Rourke KC, argued that there was no case to answer by reason of the nature and strength of the evidence presented. The High Court rejected that argument and, the Defendants having been put to their election, entered judgment for TTD$18,034,772.33 (approximately

£2.25M). The Court of Appeal overturned a number of findings of fact, but concluded that Dr Roopchand had been negligent and that the Medical Centre owed a Non-Delegable Duty to Mr Tesheira.

Joined the case for the hearing before the Privy Council as second junior to Miss O'Rourke KC and David Boyle, assisting particularly with the drafting of the final Statement of Case which argued a number of points including the approach to the expert evidence and its quality, procedural unfairness, the effects of an admission in certain respects of the Claimant's case, the Bolam test, and non-delegable duties under Woodland v Essex.

Ultimately, the Court found that there were no novel points of law, and that the admission, made by previous solicitors in the initial Defence, meant that several of the arguments raised were not, in fact, open to the Appellant on this appeal, which was, accordingly, dismissed.
