



## James Rozier

Call 2007



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James Rozier's primary specialisms are: motor insurance fraud; personal injury; and costs.

He has appeared in the High Court and Court of Appeal, and, is ranked as a Leading Junior in the Chambers and Partners UK Guide for his counter fraud work.

### Counter Fraud

James is regularly instructed by insurers combatting motor insurance fraud rings and has been appointed as Lead Counsel in an Insurance Operation implemented by one of the UK's leading insurers which has reserves of over £3.5M.

His counter fraud practice also includes acting for motor insurers in single stand-alone claims involving: fraudulent credit hire claims; staged/induced accidents; fictitious accidents; and LVI/LSI cases. James is regularly instructed by insurers in personal injury claims in which dishonesty is suspected and has obtained declarations of fundamental dishonesty in Multi-Track cases.

### Personal Injury

James has been appointed as personal injury panel counsel for one of the UK's largest employers. He has extensive experience in Multi-Track cases involving both complex injuries and fatalities. He is regularly instructed at all stages of litigation, from the provision of preliminary advice and the drafting of pleadings, through to JSM and trial. His corporate clients have included: British Airways; Virgin Atlantic; Kerry Group; and McDonald's.

### Costs

James had been regularly conducting Costs and Case Management Conferences (CCMCs) in both the High Court and County Courts since 2013. His experience includes having represented Virgin Atlantic at a CCMC in which costs budgets totalled in excess of £800k.

## Expertise



## Counter Fraud

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James is ranked as a Leading Junior by Chambers and Partners for his counter fraud work for motor insurers. He conducted his first fraud trial in 2012 and has since been regularly instructed in cases involving fraud and/or fundamental dishonesty. He has obtained numerous declarations of fundamental dishonesty in both Fast and Multi-Track cases.

### Notable Counter Fraud cases

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#### Motor Insurance Fraud Operation (ongoing)

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Appointed Lead Counsel in operation implemented by one of the UK's leading motor insurers with reserves of over £3.5M.

#### Motor Insurance Fraud Operation

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Multiple claims made by motor insurance fraud ring operating in Greater London area. Intelligence gathering, analysis of social media posts, identifying linking evidence, transfer of claims to same court for case management, pleading of fraud and/or fundamental dishonesty, all claims discontinued.

#### J v C

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For the Defendant – Personal injury claim for £650k resulting from RTA. Complex orthopaedic and psychological injuries, advising in respect of liability and quantum, use of social media intelligence, drafting of counter-schedule asserting exaggeration, claim discontinued.

#### Turkmen v 1 Davies 2 Another

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For the Defendant, instructed by Clyde & Co – Claim for personal injury including credit hire in the sum of £120k, use of Motor Insurance Database (MID) and Motor Trade Search data. Defence drafted alleging fundamental dishonesty on the basis of a staged collision, claim discontinued.

#### Odwale v Tower Hamlets

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For the Defendant – Personal injury claim for £200k, alleged fibromyalgia and myofascial pain syndrome, drafting defence relying upon fundamental dishonesty, surveillance evidence, trial, cross-examination of psychiatric, orthopaedic and pain management consultants, claim dismissed with declaration of fundamental dishonesty, enforceable costs order obtained, claim also referred to the Department for Work and Pensions for investigation, claimant appeal, appeal dismissed.

#### Goncalves v George

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For the Defendant, instructed by Clyde & Co – Claim for personal injury with credit hire in the sum of £85k, defence drafted alleging fundamental dishonesty on the basis of a staged collision, claim discontinued.

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1 Morina 2 Quduss v 1 Other

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For the Defendant, instructed by Clyde & Co – Claim for personal injury and credit hire in the sum of £257k, legal argument in respect of specific disclosure, claim discontinued.

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## Personal Injury

James has extensive experience of dealing with Multi-Track: occupier's liability, Highways Act; Health and Safety at Work Act; and RTA claims. He has been appointed as personal injury panel counsel for one of the UK's largest employers and regularly deals with both complex injury and fatal accident cases.

A significant proportion of his work is paper based, including the drafting of defences, counter-schedules, Part 35 questions, Part 18 questions, and, opinions on prospects and/or quantum. James also represents clients in Joint Settlement Meetings (JSMs) and mediations as well as at trial.

### Notable Personal Injury cases

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B v D

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For the Defendant – Personal injury claim for £1.3M involving orthopaedic, neurological and psychological injuries. Substantial claims for care and accommodation. Conferences with experts, advising, drafting and settlement at JSM for £600k.

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M v 1 D 2 Hastings

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For the Defendant – Personal injury claim for £630k involving complex orthopaedic injuries and expert armed forces loss of earnings and pension claim evidence. CCMC, conferences with experts, advising, drafting, JSM and settlement for £150k.

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J v C

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For the Defendant – Personal injury claim for £650k, complex orthopaedic and psychological injuries, advising in respect of liability and quantum, use of social media intelligence, drafting of counter-schedule, claim discontinued.

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M v PLC

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For the Defendant – Personal injury claim for £300k, Myalgic Encephalomyelitis (ME)/ Chronic Fatigue



Syndrome (CFS) resulting from infection, CCMC, advising on quantum, JSM, settlement.

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Odevale v Tower Hamlets

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For the Defendant – Personal injury claim for £200k, fibromyalgia and myofascial pain syndrome, drafting defence asserting fundamental dishonesty, surveillance evidence, trial, cross-examination of psychiatric, orthopaedic and pain management consultants, claim dismissed with declaration of fundamental dishonesty, enforceable costs order obtained, claim also referred to the Department for Work and Pensions for investigation, Claimant appeal, appeal dismissed.

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## Credit Hire

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James is ranked as a Leading Junior in the Chambers and Partners UK Guide for his motor insurance counter fraud work. He has been appointed as Lead Counsel in a UK wide Insurance Operation implemented by one of the UK's leading insurers which involves over 80 claims and has reserves of over £3.5M. James regularly appears in Fast and Multi Track credit hire cases.

### Notable Credit Hire cases

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Parvez v Calpe Insurance Company Ltd

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For the Defendant – Application seeking a non-party costs order against a CHO. CHO ordered to pay 90% of Defendant's costs.

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Motor Insurance Fraud Operation

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Multiple claims made by motor insurance fraud ring operating in Greater London area. Intelligence gathering, analysis of social media posts, identifying linking evidence, transfer of claims to same court for case management, pleading of fraud and/or fundamental dishonesty, all claims discontinued.

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Turkmen v 1 Davies 2 Another

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For the Defendant, instructed by Clyde & Co – Claim for personal injury including credit hire in the sum of £120k – use of Motor Insurance Database (MID) and Motor Trade Search data. Defence drafted alleging fundamental dishonesty on the basis of a staged collision, claim discontinued.

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1 Morina 2 Quduss v 1 Other

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For the Defendant, instructed by Clyde & Co – Claim for personal injury and credit hire in the sum of £250k – legal argument in respect of specific disclosure, claim discontinued.



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Goncalves v George

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For the Defendant, instructed by Clyde & Co – Claim for personal injury with credit hire in the sum of £90k – defence drafted alleging fundamental dishonesty on the basis of a staged collision, claim discontinued.

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## **Costs & Litigation Funding**

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James had been regularly conducting CCMCs on behalf of both claimants and defendants in the High Court as well as County Courts since 2013. His experience includes having represented Virgin Atlantic at a CCMC in which the parties' costs budgets totalled in excess of £800,000.

## **Appointments**

Accredited Pupil Supervisor

## **Education**

- PgD Bar, Bar Vocational Course
- PgD Law
- BSc Hons

## **Memberships**

- Employment Lawyers Association
- Personal Injuries Bar Association
- LCLCBA