

Spencer Turner

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AREAS OF EXPERTISE

International & Travel, Personal Injury, Sport, Fraud, Industrial Disease, Clinical Negligence, Data Protection and Information Law

Spencer has a busy practice in sports disputes, personal injury, clinical negligence, international and travel law, industrial disease, information law, and group litigation. He is regularly instructed in complex and high-profile matters for claimants and defendants, both as led and as sole counsel across all of his core practice areas and before a range of different courts and tribunals. He is a sought-after junior barrister who is often praised for his diligence, excellent client care, strong advocacy and ability to work well in teams.

The legal directories recognise Spencer's expertise across a broad range of practice areas where he is ranked as a 'rising star' or 'up and coming' in personal injury, industrial disease, insurance fraud, international personal injury, clinical negligence and sports law. They variously describe him as "great" with "impressive advocacy", "already having developed a practice that exceeds his seniority", "absolutely superb", and "thorough, professional and well-liked by clients".

Spencer's sports disputes practice sees him regularly instructed on behalf of sports governing bodies, players/athletes, clubs, coaches and agents across the full range of sports matters. His personal injury, clinical negligence, industrial disease and travel work involves cases of the utmost severity, and he has experience of large-scale litigation, being led, and acting as sole counsel.

Sport

Spencer is recognised as an established junior in sports law. He is one of just two juniors ranked as a 'rising star' of the sports Bar in the most recent edition of the Legal 500 where he is described as "very thorough and precise in his advice, and careful in analysis", with "impressive" advocacy. He is also noted in the Legal 500 for his "particular expertise in high-value clinical negligence claims arising out of sporting injuries."

He is regularly instructed on behalf of players/athletes, governing bodies, agents, coaches and insurers across a range of sports including football, rugby union, rugby league, tennis, boxing and athletics. His experience spans the full range

of sports law matters including selection, doping, safeguarding, governance, disciplinary proceedings, commercial disputes and cases involving serious personal injury or clinical negligence. He has a range of experience acting in proceedings before different sports tribunals and he also sits as a Disciplinary Panel Member for the England Boxing Disciplinary Panel and is a Panel Member of the Sports Resolutions Pro Bono Panel.

Concussion, Serious Personal Injury and Clinical Negligence in Sport

Spencer acts for both claimants and defendants in concussion, serious personal injury and clinical negligence claims arising out of elite level sport. He is ranked as a 'rising star' in sport, personal injury and clinical negligence in the Legal 500 which makes him uniquely experienced in this area of law.

Spencer is one of the 'go-to' juniors at the sports law Bar in high profile concussion litigation. He is currently instructed (led by William Audland KC) by the Rugby Football League and the British Amateur Rugby League Association in a claim brought by over 100 former players, who allege that they suffered a range of neurodegenerative injuries as a result of negligent governance of the game.

He is frequently instructed by insurers in respect of policy coverage issues arising out of personal accident policies in elite level sport and advises in respect of claims made against policies by various former professionals.

Alongside his work in concussion in sport, Spencer is a genuine specialist in serious personal injury or clinical negligence claims arising out of elite level sports. He has experience of handling issues such as loss of career earnings, the adequacy of training regimes and medical treatment which arise in such cases. His recent work includes:

- Instructed as junior counsel (led by William Audland KC) by the Rugby Football League and the British Amateur Rugby League Association in a claim brought by over 100 former players, who allege that they suffered a range of neurodegenerative injuries as a result of negligent governance of the game.
- Instructed by a national governing body in respect of a claim made by an international rugby union player under a group personal accident policy.
- Acting for a Premier League footballer in a claim against a surgeon in respect of alleged negligent medical treatment following a fibula fracture. The claim is currently valued in excess of £6 million.
- Acting for a Premier League footballer in a claim against a Premier League club following the effective end of his career aged just 21 as a result of alleged medical negligence.
- Acting for a former Premier League and England U21 footballer in a clinical negligence claim arising out of treatment following an Achilles tendon injury.
- Acting for a Premier League footballer against his former club in a claim arising out of the alleged negligent reconstruction of an ACL following injury.
- Acting for a Championship footballer against his club in relation to a claim for an untreated symphysis infection which led to the player's early retirement.
- Acting for a WSL player who sustained serious injuries in a road traffic collision which led to her missing years of her career.
- Acting for a WSL2 player in a claim brought against her former club for an alleged failure to properly diagnose an injury and provide adequate rehabilitation.
- Acting for a League 1 player in a claim against his former club for an alleged failure to properly diagnose an injury suffered during a Carabao Cup match.
- Acting for a professional player who suffered serious injury following an over the ball tackle during a match.
- Advising in a serious injury case caused by the alleged negligent design of a racetrack.
- Acting in a serious injury case involving a professional cyclist which includes a 'loss of career' claim.

Safeguarding and Abuse

Spencer acts in safeguarding matters across all sports and in civil claims arising out of historic sexual abuse. He has experience of acting in safeguarding proceedings, investigations and in providing advice to sports regulators on all aspects of safeguarding, including in respect of the implementation and operation of safeguarding policies. He is able to

provide urgent initial advice on serious safeguarding matters (including in relation to any interim safeguard) where necessary.

Spencer has particular experience in civil claims arising out of sexual abuse in a sporting context. He is well versed in limitation, liability, causation and quantum issues that arise in such claims. Recent instructions include:

- Acting for a former professional player in a historic sexual abuse claim against an elite level tennis coach.
- Acting in safeguarding proceedings before the Independent Complaints Process set up by British Gymnastics.

Anti-Doping, Disciplinary and Selection Disputes

Spencer provides representation of athletes and sports personnel before the National Anti-Doping Panel in relation to the full range of anti-doping matters. His clinical negligence and serious injury experience mean that he is comfortable cross-examining medical and scientific experts.

Spencer also represents both clubs and participants before a wide range of governing bodies. His experience includes proceedings relating to both on and off field conduct. Spencer also sits as a Panel Member for the England Boxing Disciplinary Panel. His work also sees him involved in selection disputes and he is able to provide urgent initial advice and representation in such cases given their usual time sensitive nature.

Examples of recent instructions include:

- Representing a Rugby Union player charged with anti-doping offences including failure to provide a sample.
- Representing a professional heavyweight boxer charged following a professional bout after providing an adverse analytical finding for exogenous testosterone.
- Acting for a Team GB athlete who provided an out of competition sample containing a banned anabolic steroid.
- Acting for a winter sports athlete who was alleged to have tampered with the anti-doping process.
- Acting for an athlete who undertook a prohibited activity during a prior ban for an anti-doping rule violation, namely assisting a professional boxer licensed by the British Boxing Board of Control in preparation for a bout.
- Acting for a football manager in relation to a misconduct charge before the FA.
- Advising in a selection dispute involving a professional rower.

Commercial Disputes and Arbitration

Spencer acts in various commercial disputes between participants in sport. He has recently been instructed in respect of several matters which involved negotiating and drafting several commercial agreements between different sporting participants as well as breach of contract claims and debt recovery actions. Spencer also appears as counsel and in sports arbitrations including in arbitrations under Rule K of the FA Rules and section 9 of the EFL Regulations. Recent instructions include acting in a claim made by a Premier League player against his former club in a Rule K arbitration.

International & Travel

Spencer has a busy international and travel law practice which involves jurisdiction disputes including matters involving the PD6B gateways for service out of jurisdiction, Rome I, Rome II, the Brussels I Regulation (Recast), the Lugano Convention, forum conveniens, package travel claims, group holiday illness claims, claims brought under the Athens and Montreal Conventions and cosmetic tourism claims.

Spencer is ranked in the Legal 500 and Chambers & Partners for his international and travel work where he noted for “putting clients at ease” and is described as “great” with a “growing reputation in the market”. He is routinely instructed in technical claims of high value and frequently appears against more senior counsel, including silks.

Spencer’s international experience also includes having worked on secondment with a Malaysian law firm based in Kuala Lumpur where he gained experience in transactional and dispute-related commercial matters. In 2022, he

undertook a prestigious Pegasus Scholarship which saw him spend two months working in the United States of America.

He is a contributor to the "Accidents Abroad" chapter of Butterworths Personal Injury Litigation Service, is the editor of the 12 King's Bench Walk International & Travel Law Blog and is an active member of the Pan-European Organisation of Personal Injury Lawyers.

Examples of recent instructions include:

- Providing specialist advice in relation to parties' obligations for cancelled holidays as a result of Covid-19.
- Acting for a claimant against the insurers of the residents' association of a shopping centre in Spain. The claimant was visiting a night club within the shopping centre when the floor collapsed underneath him into the basement, causing him (and 22 others) to sustain personal injuries.
- Acting for a Portuguese insurer in a two-day quantum trial in which Portuguese law was the law applicable to the quantification of the claimant's losses.
- Acting for a professional football player who sustained serious injuries in a road traffic collision in Finland which led to her missing years of her career.
- Acting in a matter involving a go-karting accident which occurred in Spain when the claimant was thrown from a go-kart in a collision with a tyre wall. The claim involves detailed and technical consideration of safety measures which are required to be in place when a go-kart is used as well as the suitability of the design of the track under the provisions of Spanish law.

Personal Injury

Spencer is recognised as an established junior in the field of personal injury. He is ranked as a 'rising star' in the Legal 500 where he is described as "absolutely superb", "thorough, professional and well-liked by clients" and as having "already developed a practice that exceeds his seniority". He currently sits on the Executive Committee of the Personal Injury Bar Association.

As part of his busy multi-track personal injury practice, Spencer acts for both claimants and defendants and regularly appears at JSMs, CCMCs, trials and application hearings. His work is usually of high value with complex elements and most of his case load involves cases of the utmost severity including brain injury, amputation and claims involving pain disorders.

Spencer's experience in personal injury exceeds his level of call and he has acted, unled, in several claims valued in excess of £1million. He is frequently led by leading silks in the area in some of the highest profile and most valuable personal injury claims including an individual claim valued close to £30million.

Spencer enjoys working collaboratively in a team and acts in a number of group actions in this area, including in the military deafness litigation and military cold injuries litigation against the MOD and in the Rugby Football League concussion litigation. His interest in novel areas of personal injury litigation means that he is familiar with emerging areas of work and has recently acted in claims involving electric scooters and driverless cars, claims involving sexual abuse, claims arising from data breaches and claims arising out of concussion in sport.

He has experience in phantom passenger claims, staged accidents, LVI claims and of exaggerated injuries and has successfully defended numerous claims at trial or secured discontinuances after drafting a defence. He is also adept at dealing with indemnity and coverage disputes, particularly in the context of road traffic accidents.

International personal injury work also forms a significant part of Spencer's practice, and he has experience of the PD6B gateways for service out of jurisdiction, Rome I, Rome II, the Brussels I Regulation (Recast), the Lugano Convention, and forum conveniens.

Recent instructions include:

- Instructed as junior counsel (led by William Audland KC) by the Rugby Football League and the British Amateur Rugby League Association in a claim brought by over 100 former players, who allege that they suffered a range of neurodegenerative injuries as a result of negligent governance of the game.
- Representing a number of soldiers in claims for military hearing loss and cold injuries in the Military Deafness Litigation and the Military Cold Injuries Litigation.
- Acting in *Covey v Harris* [2021] EWHC 2211 QB (led by William Audland KC). The claimant's claim was valued at £8.8 million and ultimately settled for a low six figure sum.
- Acting unled for the claimant in a claim for personal injuries after the claimant was hit by a car when he was riding his e-scooter on the road. This claim raises important and novel issues in respect of new electronic vehicles which are being used on the road.
- Acting unled in several high value fatal accident claims which have been widely reported in the media.
- Acting unled for a 9-year-old child in an amputation claim. The matter settled for a six-figure sum at JSM.

Fraud

Spencer has a busy defendant fraud practice for his year of call and has successfully defended numerous claims at trial or secured discontinuances after drafting a defence. He has experience in phantom passenger claims, staged accidents, LVI claims and of exaggerated injuries.

Examples of recent work include:

- Securing the discontinuance of two separate but linked claims following the service of a robust defence. Both claimants agreed to make payments towards the defendant insurer's costs.
- Securing a finding of fundamental dishonesty and the removal of QOCS protection in a case in which the claimant had failed to disclose a number of previous road traffic accidents to his medical expert.
- Representing the defendant at trial in a claim in which it was alleged that the claimant had staged the accident. The claimant accepted a 'drop hands' offer after being cross-examined.
- Acting for the Defendant in a claim in which the claimant alleged he was assaulted by the defendant's employee. Spencer secured a successful strike out and finding of fundamental dishonesty.

Industrial Disease

Spencer has a broad industrial disease practice with particular experience in acting for claimants in claims arising out of exposure to asbestos as both sole and junior counsel. He is experienced in dealing with living mesothelioma and secondary exposure cases, as well as claims concerning pleural thickening and asbestosis. He is ranked as a 'rising star' in the Legal 500 where he is described as "absolutely superb", "thorough, professional and well-liked by clients" and as having "already developed a practice that exceeds his seniority". His work in this area often involves consideration of complex medical, engineering and epidemiological evidence and he has appeared unled against silks.

In addition to asbestos claims, Spencer regularly accepts instructions in noise induced hearing loss, hand arm vibration syndrome, occupational asthma, occupational cancers and work-related upper limb disorder claims. Spencer also acts and has a strong interest in numerous industrial disease cases involving more unusual exposures. This year alone he has acted in claims arising from exposures to benzines, isocyanates, silica and diesel engine exhaust emissions. He is also instructed on behalf of a large number of serving and ex-soldiers in group litigation claims for hearing loss and non-freezing cold injuries against the MOD.

Examples of recent instructions include:

- Representing a number of soldiers in claims for military hearing loss and cold injuries in the Military Deafness Litigation and the Military Cold Injuries Litigation.
- Securing a settlement of £315,000 and provision for future immunotherapy for his client who was suffering from mesothelioma.
- Acting in a mesothelioma claim (led by Harry Steinberg KC) in which the defendant's premises contained a

significant asbestos legacy, and the defendant undertook significant asbestos removal works during the claimant's employment in the late 90s and early 2000s during which the claimant was exposed to asbestos and contracted mesothelioma. The matter settled at JSM in the sum of £1.8million with further provision provided for future private immunotherapy treatment.

- Acting in a fatal mesothelioma claim (led by Michael Rawlinson KC) involving low exposure in a school. The matter settled at JSM for the sum of £220,000.
- Securing a six-figure settlement for a living claimant (led by Michael Rawlinson KC) diagnosed with mesothelioma as a result of secondary exposure to asbestos from her husband's overalls.

Clinical Negligence

Spencer has a significant clinical negligence caseload for a junior of his call. He handles a wide range of high value and complex cases for both claimant and defendants, including those arising from birth injuries, orthopaedic surgeries, dental procedures and delayed cancer diagnosis. He is instructed as sole and led counsel in matters proceeding in the High Court as well as those in the County Court. His practice includes drafting pleadings, drafting agendas for expert meetings, providing advice and acting on behalf of clients at RTMs and mediations.

He has developed a significant niche in high value clinical negligence claims for elite sportspeople and he is a genuine specialist in this area. He has experience of handling issues such as loss of career earnings, the adequacy of training regimes and medical treatment which arise in such cases.

He is ranked in the Legal 500 as a 'rising star' of the clinical negligence Bar where he is described as a "very able all-round barrister" with "particular expertise in high-value clinical negligence claims arising out of sporting injuries".

Examples of recent instructions include:

- Acting for a Premier League footballer in a claim against a surgeon in respect of alleged negligent medical treatment following a fibula fracture. The claim is currently valued in excess of £6 million.
- Acting for a Premier League footballer in a claim against a Premier League club following the effective end of his career aged just 21 as a result of alleged medical negligence.
- Acting for a former Premier League and England U21 footballer in a clinical negligence claim arising out of treatment following an Achilles tendon injury.
- Acting for a Premier League footballer against his former club in a claim arising out of the alleged negligent reconstruction of an ACL following injury.
- Acting in an ongoing failure to refer for a retinal detachment claim.
- Representing an NHS Trust in the High Court at a CCMC and subsequently advising on quantum in an obstetric negligence case in which there were failures in the obstetric and neonatal care which led to the death of the baby.
- Acting in a dental negligence case involving the assessment and planning of tooth extraction, inappropriate prescription of antibiotics, failure to obtain informed consent, and a failure in management of roots left in situ.
- Acting for the claimant in a failure to diagnose cancer case.

Data Protection and Information Law

Spencer has substantial experience across information law. He is regularly instructed in data protection claims in the High Court and County Court and acts in claims relating to:

- Alleged failures to comply with subject access requests and requests under the Freedom of Information Act 2000.
- The processing and sharing of information by public bodies under the Data Protection Act 1998 and 2018, and the General Data Protection Regulation.
- Alleged breaches of Article 8 ECHR.
- Misuse of private information and breach of confidence.

Qualifications & Awards

BPTC, University of Law, London
LLB (Hons), University of Bristol

Pegasus Scholarship (to Washington DC, USA), Inner Temple
Florida Civil Advocacy Scholarship, South Eastern Circuit
The Times Law Award, First Place
Inner Temple Jarman Award for Advocacy (placed as the top pupil barrister in his cohort)
Marshall Hall Award, Inner Temple
Exhibition Scholarship, Inner Temple
Frank and Buriss Gahan Scholarship, Inner Temple
Duke of Edinburgh Entrance Award, Inner Temple
Negotiation Prize, University of Law
Advocacy Scholarship, University of Law

Appointments & Memberships

Personal Injury Bar Association Executive Committee (2023 – Present)
Inner Temple Bar Liaison Committee (2020 – Present)
Bar Council Young Barristers' Committee (2020 – 2023)
Sport Resolutions Pro Bono Panel (2017 – Present)
Government Legal Department's Panel of Junior Junior Counsel (2017 – Present)

Pan-European Organisation of Personal Injury Lawyers
Personal Injuries Bar Association
Association of Personal Injury Lawyers
London Common Law & Commercial Bar Association
Sports Resolutions Pro Bono Panel
England Boxing Disciplinary Panel
British Association of Sports Lawyers