



## Rose Grogan

Year of call: 2010

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### *"She is a star in the making."* Chambers and Partners 2022

Rose has a multi-disciplinary practice. Her areas of expertise include environmental and planning law, procurement, public law, healthcare and public inquiries. In particular, Rose has applied her substantial commercial law experience to the public law field in the areas of government contracting, NHS commissioning and disputes concerning heavily regulated industries such as the energy sector.

Rose is highly regarded in all of her practice areas and is ranked in Chambers and Partners and The Legal 500. In recent years, she has appeared in some of the most high-profile cases concerning the environment, planning, procurement and NHS reconfiguration. She is an experienced advocate and regularly appears in the High Court, tribunals and public inquiries. Rose is a member of the Attorney General's B Panel of Counsel and is currently instructed as junior counsel to the Grenfell Tower Inquiry and for NHS England in the Covid Inquiry.

## Areas of expertise

- Administrative and Public
- Commercial
- Energy and Natural Resources
- Environment
- Healthcare
- Inquiries and Investigations
- Local Government
- Planning and Property
- Procurement

## Healthcare

Rose has a significant healthcare practice and acts in in both public law and commercial healthcare claims. She is regularly instructed by NHS England. Recent work includes a number of GP partnership disputes, consultation issues arising from service reconfiguration, challenges to commissioning decisions, procurement claims and challenges to NHS policy. She represents clients in court, alternative dispute resolution and in the Primary Care Appeals process. She also has a specialism in fertility law and has acted

in some of the leading cases in this area. Rose is junior counsel to NHS England in the Covid Public Inquiry.

## Cases of note

- ***Agoe & Ali v Medicus Health Partners [2021]*** - Rose acted for a medical partnership in proceedings arising from a caretaker primary medical services (GP) contract raising issues of breach of contract and unjust enrichment.
- ***Diagnostics.ai v Secretary of State for Health and Social Care and Others [2020]*** - Rose acted for the Secretary of State for Health and Social Care in a part 7 claim and linked judicial review relating to the procurement of software for Covid-19 testing.
- ***R (on the application of Shepherd) v NHS Commissioning Board [2018] EWCA Civ 2849*** - Rose acted for NHS England (led by Fenella Morris QC) in a challenge to the proposed payment mechanism in NHS England's draft Integrated Care Provider contract. Rose also acted for NHS England in the related case of ***R. (on the application of Woolcock) v Secretary of State for Communities and Local Government [2018] EWHC 17*** challenging new NHS models of care. [Judgment](#)
- ***NHS Expert Determination [2018]*** - Rose acted for a Clinical Commissioning Group in a multi-million pound contract dispute relating to payment and quantum meruit which was resolved by way of expert determination.
- ***R(on the application of Whapples) v Birmingham CrossCity Clinical Commissioning Group [2015] EWCA Civ 435*** - Led by Fenella Morris QC. Case concerning the interpretation and application of s3 NHS Act 2006 and the meaning of "other accommodation". [Judgment](#)
- ***Brennan v South London and Maudsley NHS Foundation Trust*** - Claim concerning the duty to undertake an effective investigation pursuant to article 2 of the European Convention on Human Rights (ECHR).
- ***Warren v Care Fertility (Northampton) Ltd [2014] EWHC 602*** - Led by Jenni Richards QC. Claim by a widow seeking to use her deceased husband's frozen sperm to create embryos. Since this case, Rose has been instructed by individuals and fertility clinics on issues of the storage and use of gametes, parenthood and 8 ECHR. [Judgment](#)

## Recommendations

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*"She is a star in the making."* Chambers and Partners 2022

*"An experienced and knowledgeable environmental barrister, whose calm and logical approach is reassuring to clients."* The Legal 500 2022

*"Offers sound, strategic advice."* Chambers and Partners 2020

*"She has a good brain and is a strong advocate"* Chambers 2020

## Qualifications

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### Education

- 2009/2010 BVC, Outstanding, City University
- 2008/2009 LLM Comparative Law, McGill University
- 2005-2008 BA, First Class, Oxford University, Lincoln College

### Scholarships and Prizes

- 2010 Hubert Greenland Scholarship, Lincoln's Inn

- 2009 Buchanan Prize, Lincoln's Inn
- 2009 Cassel Scholarship and Hardwicke Entrance Award, Lincoln's Inn
- 2008 Provost's Fellowship, McGill University
- 2008 College Prize, Lincoln College

## Additional Information

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### Other Experience

- 2014: Secondment at Clifford Chance Asia, Singapore.
- 2013: Secondment at the Attorney General's Chambers in Singapore.
- 2009-2010: Teaching Associate in Public Law, Queen Mary University.
- 2008-2009: Before coming to the Bar, Rose led a team of students who advised the bench of the Special Court for Sierra Leone on matters of international humanitarian law and criminal law.

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