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The 1COR Quarterly Medical Law Review

Updates and analysis of the latest legal developments

2020 | Special Issue

Editor-in-Chief

Rajkiran Barhey

Editorial Team

Jeremy Hyam QC

Shaheen Rahman QC

Suzanne Lambert

Matthew Flinn

Dominic Ruck Keene

Welcome to this special issue of the Quarterly Medical Law Review, brought to you by the barristers at 1 Crown Office Row.

We are endeavouring to provide legal analysis of changes caused by the ongoing coronavirus situation. Given the fast moving nature of this situation, we will likely produce a number of special issues, which will be emailed to subscribers and posted on the 1COR website, as per usual.

At present, we have two articles. The first concerns changes to **coroners' investigations**, and is written by **Richard Mumford and Caroline Cross.**

The second is an analysis of the new **Coronavirus Act**, written by **Darragh Coffey**. It is split into two parts, the second part will be published at a later date.

We also have an upcoming article by **Gideon Barth** on **deaths in custody** and **coronavirus** which will be published in a future special issue**.** Further articles are also upcoming.

There are also links to helpful **resources** at the end. This will be updated.

If there is a topic that you would like us to cover, please get in touch via our email address below, or on Twitter at @1corQMLR.

Finally, see our In Brief section. If you would like to provide any feedback or further comment, do not hesitate to contact the editorial team at medlaw@1cor.com. Previous issues can be found on our website - https://www.1cor.com/london/category/newsletter/. You can also follow us on twitter @1corQMLR for updates.

CORONERS' INVESTIGATIONS, INQUESTS AND COVID-19

Richard Mumford and Caroline Cross

Yesterday morning (26 March 2020) the Chief Coroner published Guidance Note 34 ("GN34") on COVID-19 which can be found here. The Guidance Note addresses many of the issues relating to the impact of COVID-19 on the coronial service. We set out below some answers to questions those involved with the coronial system may currently have in mind, taken from the Guidance Note and other sources ("GN34#(No.)" refers to paragraph numbers in the Guidance Note).

1) Are Coroners' Courts conducting hearings at the moment?

GN34#10 provides that *"no physical hearing should take place unless it is urgent and essential business and that it is safe for those involved for the hearing to take place. A particular concern is to ensure social distancing in court and in the court building."*

It is also noted that *"All hearings that can possibly take place remotely (via whatever means) should do so, and other hearings should continue only if suitable arrangements can be made to ensure distancing although the Chief Coroner accepts that in many jurisdictions this may be difficult. Hearings which must continue should be those considered essential business"*

2) Can Coroners' inquests and/or PIRHs be conducted remotely?

The Coroners (Inquests) Rules 2013 rule 11(3) provides:

> *"An inquest hearing and any pre-inquest hearing must be held in public unless paragraph (4) or (5) applies."*

Rule 11(4) provides an exception for hearings being in public where interests of national security are engaged. Rule 11(5) provides an exception for pre-inquest review hearings being in public where the interests of justice or of national security are engaged. There has been no declaration to date that holding PIRHs privately would be in the interests of justice.

GN34#10 sets out practical steps to be considered and includes the following observations:

> *"All hearings that can possibly take place remotely (via whatever means) should do so, and other hearings should continue only if suitable arrangements can be made to ensure distancing although the Chief Coroner accepts that in many jurisdictions this may be difficult. Hearings which must continue should be those considered essential business.*
>
> *Coroners are reminded that such hearings must in law take place in public and therefore coroners should conduct telephone hearings from a court, not their homes or their office. In the light of the statement of the Prime Minster on March 23, 2020 as to gatherings and travel only where absolutely necessary, hearings taking place in public may mean they take place where only a member of the immediate family is present and with a representative of the press being able to be present."*
>
> *Given the need for coroners to travel to hold telephone hearings from a court (note it does not have to be a coroners court, given that the court may be shut), coroners are considered to be conducting "essential business".*

Some pre-inquest review hearings can be done on paper. Coroners are sending out agendas and asking for responses and submissions.

3) Are post-mortems still taking place?

GN34#24-29 discusses post-mortem examination practice in general and the current pressures on the system, concluding that *"The availability or lack of availability of post-mortem examination*

facilities and pathologists will be a factor for coroners to consider in deciding whether to order an examination (or a particular type of examination) in each case. Coroners may need to consider partial or external examinations by pathologists as well as non-invasive examinations, or no examination at all. Cases of particular complexity and sensitivity may need to be prioritised." However, given the emergency situation, it may be that post mortem examinations are not possible, either because of infection risk grounds or capacity problems (#23(v)). In such a scenario, coroners are invited to consider other relevant medical and other evidence that may enable a conclusion to be reached – see #23(vii-viii).

4) Does suspicion of COVID-19 as a cause of death mean that the death must be reported to a Coroner?

Not necessarily. GN34#18 provides:

> *"COVID-19 is an acceptable direct or underlying cause of death for the purposes of completing the Medical Certificate of Cause of Death (MCCD);*
>
> *COVID-19 as cause of death (or contributory cause) is not a reason on its own to refer a death to a coroner under the CJA 2009;*
>
> *That COVID-19 is now a notifiable disease under the Health Protection (Notification) Regulations 2010 does not mean referral to a coroner is required by virtue of its notifiable status (the notification is to Public Health England), and there will often be no reason for deaths caused by this disease to be referred to a coroner"*

GN34#19-20 continues:

> *"19 To restate: COVID-19 is a naturally occurring disease and therefore is capable of being a natural cause of death. There may of course be additional factors around the death which mean a report of death to the coroner is necessary – for example where the cause is not clear, or where there are other relevant factors. This is set out in the Notification of Death Regulations 2019. There may also be cases where an otherwise natural causes death could be considered unnatural.*
>
> *20. The aim of the system should be that every death from COVID-19 which does not in law require referral to the coroner should be dealt with via the MCCD process. On this matter the Chief Coroner and the National Medical Examiner are in full agreement."*

5) How long will hearings be adjourned for?

The Guidance (which refers to Chief Coroner COVID-19 Note #3, circulated on 19 March 2020 but partially overtaken by events) states at [#10] that it is likely that the coroner will hold some inquests (non-contentious Rule 23 hearings) over the coming months.

Any jury inquests that are due to start between 31 March and Friday 28 August of any significant length should be adjourned. Cases that are scheduled for 1 September onwards should generally remain in the list. [COVID-19 note #3, page 2]

No new jury trials should take place [according to the HMCTS, which overtakes the COVID-19 note #3, page 2]

Likewise any long or complex inquests not involving a jury, which require a large number of witnesses to attend in person, should be reviewed and may need to be adjourned. [COVID-19 note #3, page 2].

COVID-19 note #3 says that ongoing inquests, including jury inquests, should not automatically be abandoned, and less complex inquests and PIRHs listed to start between now and 31 March should

generally proceed. It is unclear whether this has been overtaken by CG34, but in any event it is presumed that this would only be the case if:

- All relevant witnesses are able to attend remotely;
- All relevant witness are available (which they may not be, if they are medical staff, key workers or are suffering from COVID).
- The PIRH cannot be done on paper (see above)

It is advisable to check with the coroners' court as to whether the inquest is proceeding or not.

6) Will juries be required to sit for inquests involving COVID-19?

Not as a matter of course.

The Coroners and Justice Act 2009 ("CJA 2009") section 7 provides that a jury inquest is triggered where the senior coroner has reason to suspect (amongst other things) "*that the death was caused by a notifiable accident, poisoning or disease."*

On 6/3/2020 COVID-19 was designated a notifiable disease under the Health Protection (Notification) Regulations 2010 and would therefore in principle have triggered jury inquests in cases where the death was reported to the Coroner.

However, section 30 of the Coronavirus Act 2020 (which came into force on 25 March 2020) provides:

> *"30 Suspension of requirement to hold inquest with jury: England and Wales*
>
> *(1) For the purposes of section 7(2)(c) of the Coroners and Justice Act 2009 (requirement for inquest to be held with jury if senior coroner has reason to suspect death was caused by notifiable disease etc), COVID-19 is not a notifiable disease.*
>
> *(2) This section applies to an inquest that is opened while this section is in force (regardless of the date of the death)."*

See also the Explanatory Notes to the 2020 at p13 §67-70 and p42 §§315-318 which can be found here.

It is important to note that where the person died before 25 March 2020 and their inquest was opened before that date, there will need to be a jury, but not if the inquest was opened on 25 March or thereafter.

There may, however, be circumstances that do trigger the requirement for an inquest to be held with a jury, such as where the death occurs in custody and the deceased, whilst suffering from COVID-19, dies an unnatural death.

7) What happens to outstanding Prevention of Future Death reports?

GN34#10 invites coroners to recognise the primary clinical commitments of medical professionals. As far as responses to existing PFD reports are concerned, it is suggested that *"Coroners may wish to proactively review outstanding PFD responses and write to some recipients, as they see appropriate, inviting an extension. However, there should be no blanket policy of extension for all PFD reports – many recipient organisations, individuals or businesses have nothing to do with the COVID-19 response and are continuing to work in as normal a way as possible."*

8) Can additional coroners be appointed to deal with any increased number of cases?

GN34#11-15 sets out options for the appointment of additional assistant coroners, including re-appointment of retired assistants as well as new appointments (which may not be subject to open

competition). GN#14 promises an update to senior coroners and local authorities in relation to *"a number of avenues"* being pursued "*to widen the pool of assistant coroners".*

9) How is COVID-19 likely to be recorded in the cause of death?

GN34#19 states that *"COVID-19 is a naturally occurring disease and therefore is capable of being a natural cause of death."* Therefore, where an inquest is held and the cause of death is found to be COVID-19, box 4 on the record of inquest is likely to read *"natural causes"* (see the Record of an Inquest form attached to the Chief Coroner's Guidance Note No. 17).

10) What happens to non-COVID-19 deaths?

At present, deaths that are referred to the coroner are going through the usual processes, which can include investigation and inquests. However, coroners and coroners' officers are under severe pressures due to COVID-19 related deaths, their own illness or self-isolation, or their own care commitments. As such there are likely to be long delays, breaching the Chief Coroner's 12 month target for completing an inquest. This is recognised by the Chief Coroner [#10].

11) What happens if there is a death in prison or otherwise in state detention?

Under s.1 CJA 2009 coroners are required to open an inquest into deaths in prison or otherwise in state detention, even if it is a natural death. Following *R (Tainton) v HM Senior Coroner for* Preston *and West Lancashire* [2016] EWHC 1396 (Admin) there is no need for a jury when the death is from natural causes. It will be necessary for the coroner to open an investigation but delay the inquest until the pandemic has passed (#38-41 and #23(ix)).

This note has been produced by Richard Mumford and Caroline Cross of One Crown Office Row (with acknowledgements to Peter Skelton QC). The contents are believed to be accurate as at close of business on 26 March 2020.

Addendum from Caroline Cross: *"Halsbury's Laws on Lexis Nexis has a section on Coroners that is essentially a commentary on the legislation, which I updated last summer."*

THE CORONAVIRUS BILL 2020: WHEN LEGISLATION GOES VIRAL (PART ONE)

Darragh Coffey

Introduction

At this point, it is almost trite to say that we are living through unprecedented events. The global spread of the Coronavirus pandemic poses serious challenges to society. So far, the global death-toll has exceeded 21,000 and life as we know it in the UK has changed dramatically. In response to this crisis the Government has announced drastic measures in order to curb the spread of the virus and to support those who may be affected. Indeed, it seems that Cicero's famous injunction to let the welfare of the people be the highest law has gained a new relevance in the age of COVID-19.

As readers will probably know, a significant plank of the Government's legislative response is the Coronavirus Act 2020, which received royal assent on 25 March having been fast-tracked through Parliament. This substantial piece of legislation –which consists of 102 Sections, 29 Schedules and runs to just under 360 pages– is intended to deal with the various challenges that may be posed by the Coronavirus epidemic. As a result, its provisions are broad ranging, touching on areas as diverse as powers to disperse gatherings, pensions, sick pay, inquests and investigatory powers to name but a few.

Given the scope of this legislation, it would be folly for me to try and consider it comprehensively in one article. Therefore, this is the first of two articles on this subject. In this article I explore why this legislation was

considered necessary and consider some general aspects of the Act. In a second article, I will explore some of the more interesting/controversial aspects of the Coronavirus Act 2020.

Why Legislate?

When the Government first produced an outline of the legislative proposals before the Bill was introduced to the Commons, at least one law and policy commentator cautioned against knee-jerk legislation and urged that consideration be given to whether existing powers may already be sufficient to deal with the challenges that might arise. In certain respects, the point is well made. For example, the Public Health (Control of Diseases) Act 1984 (as amended) allows for wide ranging regulations and orders to be made for the purpose of preventing, protecting against or controlling the spread of an infection.

However, as alluded to above, the 2020 Act encompasses far broader powers than those in the 1984 Act and appears to create powers of more general rather than specific application. Importantly the 2020 Act also creates a unitary legislative scheme for dealing with the pandemic across all of the nations of the UK or, to use what seems to be a popular political term, 'levels up' the response. An interesting constitutional point that arises from this is that, despite the extraordinary nature of the legislation, the drafting appears to preserve the Sewell convention, whereby most changes that may be made under the Act to any legislation dealing with devolved matters will require the consent of the relevant devolved administration.

Another option for dealing with the crisis without the need for new legislation may have been to use the powers under the Civil Contingencies Act 2004 . Under this Act, a senior Minister of the Crown (Prime Minister, Secretary of State or Lord Commissioner of the Treasury) is empowered in certain circumstances –which are likely to be deemed met at present– to make very broad ranging emergency regulations. However, regulations under the 2004 Act must be ratified by Parliament within seven days of being made. Furthermore, such regulations expire after 30 days. Thereafter they must then be renewed and re-ratified. This means that for any power granted under the Civil Contingencies Act 2004 to remain in force for the duration of the crisis, Parliament would have to meet at least every 30 days. In the context of an epidemic, this simply may not be possible. On this basis, the Government appear to have decided that more enduring legislation was necessary.

The Sunset Clause

Turning to the Coronavirus Act 2020 itself, the first point to note is that, while it has more longevity than regulations made under the Civil Contingencies Act, it is still clearly intended as temporary emergency legislation. As will be seen in part two, this legislation makes fundamental changes to a range of areas of law and grants very significant powers to the authorities. However, due to the urgency of the situation the legislation could only receive the most cursory of parliamentary scrutiny before being passed. Ordinarily, legislation making some of the changes proposed would be expected to be subjected to significant scrutiny in both houses of Parliament. In this case the Bill was introduced on Monday and received Royal assent on Wednesday.

In these circumstances it was clearly necessary to place a limit on the duration of most of the Act's provisions. To this end, Section 89 of the Act, creates a sunset clause, under which the majority of the provisions will expire after two years. However, this period may be extended by six months or shortened in accordance with Section 90. In the Bill as drafted, these were the only limitations on the longevity of the Act. In circumstances where such significant legislation would be nodded through Parliament, an unchecked legislative lifespan of two – perhaps up to two and a half– years is a very long time. Particularly, considering the Prime Minister's ambition to 'turn the tide on the disease in 12 weeks'.

Understandably, this raised significant concerns among human rights groups, lawyers and MPs from across the political spectrum. To its credit, the Government was receptive to these concerns and ultimately accepted an amendment, which introduced the requirement that the operation of the Act must be reviewed by Parliament every six months (see Section 98). This appears to strike an appropriate balance between the need to maintain parliamentary oversight of the significant powers created by this Act, and the concerns that Parliament may not be able to operate as normal during the crisis. Indeed, a six month review period appears to be more in line with approaches to such legislation taken in other common law jurisdictions.

Human Rights

Before the Bill was published Barrister, Adam Wagner produced a detailed twitter thread in which he set out his observations on any potential legal response to the Coronavirus. In the thread, he very compellingly emphasised the importance of keeping human rights values at the centre of any such response.

An important general point arises in this context. Under Article 15 of the ECHR, in times of war or other emergency threatening the life of the Nation, a Contracting State may derogate from many of its human rights obligations under the Convention. Such a course of action appears to be contemplated by at least six Council of Europe Member States as a result of the Coronavirus. In contrast, the UK Government has not yet signalled any such intention. Therefore, any action taken under the Coronavirus Act 2020 must necessarily be compatible with all of UK's ECHR obligations in accordance with the Human Rights Act 1998. In Part 2, I will explore certain aspects of the legislation for which this requirement will be of particular relevance.

In general, the drafters of the legislation demonstrate an acute awareness that any measures adopted under the Act must be proportionate. Indeed, the phrase "necessary and proportionate" appears no fewer than 48 times throughout the Act. Furthermore, the Government has explicitly stated:

> *The measures in the coronavirus bill are temporary, proportionate to the threat we face, will only be used when strictly necessary and be in place for as long as required to respond to the situation.*

To support this aim, Section 88 of the Act creates an 'on/off switch' whereby the operation of any provision of the Act may be suspended and revived by regulations as and when the measures are considered necessary throughout the life of the legislation.

As it stands most of the provisions of the Act have been brought into force as of 25 March. The exceptions to this are provisions relating to: Emergency volunteers; modifications to Mental Health legislation; changes to the powers and duties of local authorities in relation to the provision of care and support; changes in relation to the registration of deaths and still births; and provisions relating to food supply. These provisions will be brought into force as and when they are deemed necessary. In the next post, I will consider the substantive provisions of the Act and highlight some aspects that are particularly interesting or controversial, or indeed both.

This article also appears on the UK Human Rights Blog.

HELPFUL RESOURCES

- HMCTS is providing a daily operational update by email to subscribers. Updates are also published here.
    - As of 27 March 2020, the relevant advice for civil practitioners is:
    - *"High Court and Court of Appeal are only covering urgent work. The High Court and Court of Appeal work update: 27 March 2020 (PDF, 216KB, 1 page)*
    - *The Royal Courts of Justice Fees Office will temporarily close. Royal Courts of Justice Fees Office update: 27 March 2020 (PDF, 249KB, 1 page)*
    - *We're continuing to avoid physical hearings and arranging remote hearings wherever possible*
    - *We're continuing to implement social distancing measures in courts and tribunals where physical attendance is necessary*
    - *Staff and judges are continuing in their essential work*
    - *We're looking at how we prioritise work and deliver essential services over the coming weeks"*
- HMCTS guidance on video and telephone hearings is here.

- The latest advice from the judiciary is published here.
    - In particular, the advice from the Lord Chief Justice on 23 March 2020 was:

> ***"Civil and Family Courts***
>
> *6. Guidance has already been given about the use of remote hearings. Hearings requiring the physical presence of parties and their representatives and others should only take place if a remote hearing is not possible and if suitable arrangements can be made to ensure safety.*
>
> *This guidance will be updated, as events develop."*

- In particular, there is a **new Practice Direction 51Y** on arrangements for video or audio hearings during the pandemic, which is here.
- On 25 March 2020 Master Fontaine issued guidance for QB users which ought to be accessible here. It is extracted below:

> *"In the light of the developments of the last 48 hours, the situation has changed from the communication sent out last week.*
>
> *The Royal Courts of Justice is still open, and a small number of senior key administrative staff there in person, all QB Masters are now working remotely from home, and all QB Action department staff released with a core number working remotely from home.*
>
> *The Fees Office in the QB Action Department is closed, but all professional users should continue to use CE-File where you can pay by PBA or credit card. All other users will be asked for payment when the Fees Office re-opens.*
>
> *Foreign Process and Children's Funds The Foreign Process and Children's Funds Sections departments are closed until further notice. Any urgent applications for Foreign Process should be sent to foreignprocess.rcj@Justice.gov.uk and any urgent correspondence for Children Funds should be sent to qbchildrensfunds@justice.gov.uk, which will be forwarded to the most appropriate Master, unless a Master has already dealt with the matter, when you should send direct to that Master.*
>
> *Hearings before the QB Masters All hearings will now be conducted by telephone conference or by Skype (audio only or audio and video). Telephone hearings are conducted in accordance with PD23A and PD51Y (copy of the latter attached separately) and must be hosted by an approved service provider. Professional representatives will be required to set up telephone conferences and ensure that they are recorded, as has previously been the case. Masters will instigate Skype hearings and invite you to join the conference. You will be informed by the Master or by listing clerks how the hearing is to take place, and please let us know as soon as possible if there are any difficulties (see Communications with the Court below).*
>
> *The hearings will be listed as usual in the Cause List and identified as either telephone or video hearings*
>
> *If parties reach an agreement to adjourn any listed hearings because they are not urgent and they would prefer them to be listed in court when the current emergency situation is lifted please let the Master know as soon as possible. The Master may also reach a decision of their own initiative to adjourn any particular hearing and will communicate with the parties by email or telephone.*
>
> *Communications with the Court about Hearings*

Our court staff have been unable to keep electronic filings up to date as a result of depletion of staff during the present crisis. Please therefore do not rely on electronic filing alone to ensure that a document reaches the Master for a hearing. Please email with information and all documents relating to a forthcoming hearing directly to the Master. All Masters' email addresses, as well as those of their clerks and key Action Department staff are in Annex B.

As far as possible please send one email with all information and documents for a hearing. Repeated emails are unhelpful and difficult to manage when Masters have many hearings listed every day and are involved more than usual in the administrative arrangements for the hearings.

Documents for hearings Please follow the instructions previously provided about electronic bundles. Most Masters will not be able to come into court to collect hard copy bundles and there are no facilities to courier these to us. Do not include skeleton arguments in the electronic hearing bundle but email them separately.

Please also bear in mind that working from electronic bundles at a telephone hearing can be more time consuming and cumbersome so please ensure that the bundles contain no more documents than necessary for resolution of the issues in question.

Thank you for your understanding, and for assisting us to ensure that we can continue to progress as many QB claims as possible during this difficult time.

Barbara Fontaine Senior Master of the Queen's Bench Division 25 March 2020"

- The latest Bar Council updates are here.
- BSB updates are posted here. The equivalent SRA page is here.
- The Law Society is providing information here.

1COR INFORMATION FOR CLIENTS

COVID-19 Outbreak – Information for Clients

The following information provides outline guidance on Chambers' current position with respect to COVID-19. If you have a question that is not covered below please do not hesitate to contact our clerks using the contact information below.

Chambers absolute priority must be to follow government guidance to safeguard the health and wellbeing of clients, staff, Members and the wider community. However, at the same time we are doing all we can to maintain services to clients as far as possible. All our telephone and IT systems have been cloud-based since September 2019 which means that there is effectively no difference in systems availability at home (or elsewhere) compared with in Chambers.

Most of our Members are already working from home and from close of business on Friday March 20 all of our staff will be as well – except where attendance at Chambers of a 'skeleton team' is absolutely necessary (for example, to support urgent conferences which must still take place face-to-face). To assist us in minimising social interaction, please do everything possible to send us papers in digital form rather than hardcopy and to enable conferences to happen virtually (by phone or video-conference) rather than in-person.

If you wish to contact us for any reason please do so via our clerks using the following contact details.

To instruct us, confirm tele-conference details, rearrange current appointments or discuss anything, please contact our clerks on 020 7797 7500 or via london@1cor.com.

Our clerks are contactable as usual **for emergency assistance** outside normal business hours on: 07885 745450.

For marketing matters (such as events) please contact our Marketing Manager Olivia Kaplan. Keep up to date with our podcast Law Pod UK, Quarterly Medical Law Review (QMLR) and UK Human Rights Blog.

If you have any concerns at all about our service which cannot be addressed by our clerks, please do not hesitate to email our Chambers Director via andrew.meyler@1cor.com.

Podcast

Further news and events information can be found on our website.

Letters to the Editor

Feel free to contact the team at medlaw@1cor.com with comments or queries.

Previous issues can be found on our website - https://www.1cor.com/london/category/newsletter/. You can also follow us on twitter @1corQMLR for updates.

EDITORIAL TEAM

Rajkiran Barhey (Call: 2017) – Editor-in-Chief

Rajkiran accepts instructions in all areas of Chambers' work and is developing a broad practice, particularly in clinical negligence, personal injury, inquests and public law and human rights. Kiran joined Chambers as a tenant in September 2018 following successful completion of a 12-month pupillage. She is currently instructed by the Grenfell Tower Inquiry and has recently undertaken a secondment at a leading clinical negligence law firm.

Jeremy Hyam QC (Call: 1995, QC: 2016) – Editorial Team

Jeremy is a specialist in clinical negligence, administrative and public law, inquests, public inquiries, and professional regulatory work. He has particular experience in all aspects of health law and has appeared in a number of leading cases in the field at all levels including in the Supreme Court and Privy Council.

Shaheen Rahman QC (Call 1996, QC: 2017) – Editorial Team

Shaheen Rahman QC specialises in public law, clinical negligence and professional discipline. Recognised by the legal directories as a leading practitioner in multiple areas, she is instructed in complex and high value clinical negligence matters including catastrophic brain injury cases, has particular expertise in judicial review challenges to healthcare funding decisions, appears at inquests involving detained or otherwise vulnerable patients and acts for healthcare professionals in regulatory and MHPS proceedings.

Suzanne Lambert (Call: 2002) – Editorial Team

Suzanne has a broad practice, with a particular focus on healthcare/medical law. She has experience mainly in clinical negligence and inquests, but also in disciplinary law and judicial review. Suzanne is instructed by claimants and defendants in a wide variety of cases involving serious and catastrophic injuries e.g. cerebral palsy, spinal injuries, loss of fertility, and delayed diagnosis of cancer. She has experience with complex legal issues such as contributory negligence, apportionment between defendants, and consent.

Matthew Flinn (Call: 2010) – Editorial Team

Matt's practice spans all areas of Chambers' work, including clinical negligence, personal injury, public law and human rights. He is developing particular expertise in inquests, and clinical and dental negligence claims, acting for both claimants and defendants. He undertakes a wide range of advisory and court work. He also has experience in information law and has advised in private litigation stemming from the Data Protection Act 1998.

Dominic Ruck Keene (Call: 2012) – Editorial Team

Dominic has considerable experience of acting in clinical negligence claims for both claimants and defendants: drafting pleadings, advising on merits, quantum and settlement; successfully representing parties at RTMs and at mediation; as well as appearing in case management hearings, application hearings, and at trial in both the county and High Courts. As a result of his background in the Army, Dominic has a particular interest and expertise in all nature of cases involving service personnel and National Security. He is on the Attorney General's C Panel.

CONTRIBUTORS

Richard Mumford (Call: 2004) – Contributor

Richard Mumford's healthcare work is focused on claims relating to medical accidents of all descriptions (including product liability claims arising from medical devices) but also encompasses regulatory proceedings and contractual claims relating to the provision of healthcare and related services.

In addition, Richard regularly deals with personal injury claims ranging from serious road traffic injury and industrial injuries to physical and sexual abuse. Richard also advises and represents clients in relation to costs arising from litigation.

Caroline Cross (Call: 2006) – Contributor

Caroline Cross has a diverse civil and public law practice with particular interests in inquests, human rights, clinical negligence, mental health and personal injury. She represents both claimants and defendants.

She is Assistant Coroner for Southwark.

Darragh Coffey (Call: 2018) – Contributor

Darragh Coffey accepts instructions in all areas of Chambers' work and is working to develop a broad practice. He appears in courts and tribunals on behalf of both Claimants and Defendants in a range of civil hearings.

Before to coming to the Bar, Darragh spent four years at the University of Cambridge where he is pursuing a Ph.D. in the area of human rights law. Prior to that, he served for six years as an Army Officer in the Irish Defence Forces.