

James Badenoch KC

Call: 1968 KC: 1989



James Badenoch KC was pupil to John (later Mr Justice) Alliot, and Harry (Lord) Woolf at 1 Crown Office Row where he became a tenant. He specialised for over 35 years in clinical negligence, medical law, and professional discipline. He took silk in 1989. He has appeared in a succession of major cases in the House of Lords, The Privy Council, The Supreme Court, The Court of Appeal, The High Court, the Hong Kong High Court, the Hong Kong Court of Final Appeal, The GMC and The GDC. He acts for Claimants and Defendants.

Listed for many years in the principal directories as one of the foremost practitioners in the fields of clinical negligence, professional discipline, and personal injury.

"Highly skilled in handling clinical negligence cases."

Legal 500 2018

"He is brilliant, extremely thorough and hard-working."

Chambers & Partners 2016

"An absolutely first rate advocate" "He's in a league of his own" "A brilliant cross-examiner who is completely in demand of things."

Chambers & Partners 2017

Clinical Negligence

Selected Cases

- **Montgomery v Lanarkshire Health Board [2015] UKSC 11**
- **Lillywhite v UCL Hospitals NHS Trust [2006] Lloyds Rep Med 268 (CA):** (Medical standard of care.)
- **Law Society v Sarah Harman [2006]:** (Professional Discipline.)
- **Michael Stone v South East SHA [2006] EWHC 1668 (Admin):** (Medical records, human rights and data protection.)
- **Preiss v General Dental Council [2001] Lloyd's Rep Med 491 (Privy Council):** (Human Rights and Professional Discipline. Defining "serious professional misconduct".)
- **GMC v Dr Harold Shipman (2000):** (Disciplinary proceedings.)
- **Heil v Rankin [2000] 2 WLR 1173 (CA):** (Landmark case on general damages.)
- **Penney & Others v East Kent Health Authority [2000] Lloyd's Rep Med 41 (CA):** (Application and limits of 'Bolam Test'.)
- **Dobbie v Medway Health Authority [1994] 5 Med LR 160 (CA):** (Medical injury, limitation principles.)
- **Wilsher v Essex Area Health Authority [1988] AC 1074 (HL):** (Medical negligence, causation principles.)

Appointments

- Deputy High Court Judge
- Recorder of the Crown Court
- President of the Mental Health Review Tribunal
- Bencher of Lincolns Inn
- Member of the Chartered Institute of Arbitrators
- Fellow of the Royal Society of Medicine
- Admitted ad eundem to the Hong Kong Bar
- Chairman of the Expert Witness Institute

Education

- MA, Oxford

Publications

- Clinical Negligence, Powers and Harris (Contributor), published by Butterworths, 1st Ed 1990 2nd Ed 1994, 3rd Ed 2000, 4th edition.
- Urology and The Law, (Co-Author) published by Informa 2006
- Numerous articles in Learned Journals and Periodicals.