

Richard Booth KC

Call: 1993 KC: 2013



Richard Booth KC has practised at 1 Crown Office Row since being called to the Bar by Middle Temple in 1993 and is our current Head of Chambers. He grew up in South Wales before taking degrees in Cambridge and Brussels. As a junior, he had a broad base of advocacy experience in a variety of courts and tribunals the length and breadth of the country.

He specialises in clinical negligence, disciplinary / regulatory law, personal injury (especially brain and sports injuries), costs, inquests and sports law.

Richard is recognised as a 'Leading Silk' in Clinical Negligence and Professional Discipline by Chambers & Partners and was nominated for their 2018 'Professional Discipline Silk of the Year' Award.

Having originally studied Modern Languages at Cambridge, Richard has a good working knowledge of Spanish and French.

"Richard is a formidable negotiator."

Chambers & Partners 2023

"Extremely bright, confident and considered – an excellent advocate."

Legal 500 2023

"He has an eye for detail and is very approachable."

Chambers & Partners 2023

Clinical Negligence

Richard is instructed in cases of the highest value and complexity, his clinical negligence practice is split approximately 50/50 between claimants and defendants. He has a particular expertise in high value clinical negligence claims arising out of a sporting context, involving doctors and physiotherapists.

Selected Cases

- **PDR v Guy's and St Thomas's Hospital NHS Foundation Trust (2020)**: £37m settlement for catastrophic brain injury at birth.
- **KXM v Welsh Health Board (2020)**: complex, high value claim arising from catastrophic brain injury at birth.
- **Hewes v West Hertfordshire NHS Trust & Another [2020] EWCA Civ 1523**: Court of Appeal case concerning alleged negligent delay in diagnosing and treating cauda equina syndrome.
- **XAS v Medway NHS Foundation Trust (2020)**: high value claim for child with severe cerebral palsy following catastrophic brain injury at birth in addition to earlier securing damages for psychiatric injury for the mother.
- **Birth Injury Settlement (2019)**: young boy deprived of oxygen at birth with right-sided physical difficulties and neurodevelopmental and neurocognitive problems.
- **YAH v Medway NHS Foundation Trust [2018] EWHC 2964** : damages for psychiatric injury for mother of child with cerebral palsy.
- **Birth Injury Settlement (2018)**: led Suzanne Lambert in £18m compensation in clinical negligence claim.
- **Bayley v George Eliot Hospital NHS Trust [2017] EWHC 3398 (QB)** : successfully defended against a *Montgomery* claim.
- **W v J [2017]**: advised that successful application be made to strike out mismanagement of concussion claim brought by former Premiership rugby union player against Club doctor.
- **S v K [2016]**: secured substantial settlement for Serbian businessman who had not been given adequate post-operative care following robotically assisted laparoscopic prostatectomy performed privately in Harley Street.
- **T v X Rugby Club & Others [2016]**: secured substantial settlement for rugby international in whom an arm fracture had been missed and who had played on with the fracture for 15 months.
- **Barrett v Sandwell & West Birmingham Hospitals NHS Trust [2015] EWHC 2627 (QB)**: successfully defended blindness claim brought by young diabetic male. *Montgomery* issues.
- **Owers v (1) Medway NHS Foundation Trust (2) Secretary Of State For Health [2015] EWHC 2363 (QB)**: successfully defended stroke claim and secondary victim psychiatric injury claim.
- **Meiklejohn v St George's Healthcare NHS Trust [2014] EWCA Civ 120**: acted for claimant in hugely complex aplastic anaemia case where true diagnosis came from sample taken for research purposes.

Professional Discipline & Regulation

Richard generally defends healthcare and veterinary professionals before disciplinary tribunals, but has also prosecuted in the First-Tier Tribunal in performers list appeals. Additionally experienced in hearings involving

Medical Practitioners Tribunal Service, General Dental Council, General Chiropractic Council, Royal College of Veterinary Surgeons and various sporting bodies.

Listen to Richard discuss a successful employment injunction to prevent a gross misconduct disciplinary hearing on episode 39 of [Law Pod UK](#) here.

He was nominated for 'Professional Discipline Silk of the Year' at the 2018 Chambers Bar Awards.

Selected Cases

- **RCVS v X (2019)**: successfully defended a veterinary surgeon who was accused of dishonesty and of having been complicit in the taking of new-born French Bulldog puppies by two staff in the practice where he was working.
- **GMC v Ryan (2017) MPTS**: defended the young doctor who had taken the temperature of Ebola nurse Pauline Cafferkey at Heathrow after their return from Sierra Leone.
- **RCVS v NH (2016) (disciplinary Committee of the RCVS)**: Defended experienced veterinary surgeon against serious surgical allegations.
- **Parchure v General Medical Council [2015] EWHC 2850 (Admin)**: represented Consultant Cardiologist on appeal after long hearing before MPTS.
- **GMC v SD (2012-2013)**: represented Consultant Breast Surgeon in 13 week GMC hearing, at the end of which no disputed charges were found proved.
- **R (Doshi) v Southend-On-Sea Primary Care Trust [2007] EWHC 1361 (Admin)**: standard of proof to be applied when quasi-criminal allegations before FHSAA (as was). Acted for PCT.

Personal Injury

Richard is instructed predominantly on behalf of claimants in this field, but has also had a niche practice defending a well-known chain of fitness clubs. He is particularly expert in claims involving brain injury, from the maximally damaged to the subtle presentations.

In the sporting context, Richard has been involved in many serious injury claims over the years involving incidents on the field of play, where the defendants have been both opponents and referees.

Selected Cases

- **F v B (ongoing)**: acting for claimant who lost his spleen following a late challenge in a rugby match.
- **Walford v London General Transport Service Ltd & Another [2013] EWHC 1367 (QB)**: acted for brain injured claimant who was hit by a bus outside Liverpool Street station.

Costs

Richard is instructed in complex costs issues, generally arising out of clinical negligence and personal injury

claims.

Selected Cases

- **Malone v Birmingham (2016)**: appeal to CA from Cardiff County Court pending on impact of CFA naming wrong defendant.
- **Alan Phillips Associates Ltd v Terence Edward Dowling (T/A The Joseph Dowling Partnership) & Ors [2007] EWCA Civ 64**: Third Party Costs Order against Company Director following architects' negligence claim.

Inquests

Richard is instructed in a range of complex Inquests, often involving extensive medical expert evidence. He is equally instructed by families and healthcare providers.

Selected Cases

- **Re: JC Deceased (2017)**: death from pulmonary embolism following knee replacement surgery in private hospital (Westminster Coroner's Court).
- **Re: Sylvan Money Deceased (2006)**: acted for family in 3 week Inquest in Powys Coroner's Court following voluntary patient suicide in Bronllys Hospital, Talgarth.
- **Re: Elmas Ozmicco Deceased (2005)**: acted for Public Health England in 3 week Inquest in Kent Coroner's Court following death of Kurdish migrant from necrotising fasciitis after she had travelled across Europe in the back of a lorry.

Sports Law

Richard is instructed in a wide variety of sports injury claims, as well as in disciplinary and regulatory hearings. He has experience of selection disputes (including for a Paralympic squad).

Richard is usually, but not exclusively, is instructed on behalf of the injured or aggrieved sports participant.

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Appointments

- Recorder (2008 – present)
- Junior Counsel to the Attorney-General's Regional Panel (2000 – 2012)

Awards

- Fellowship of the British Chiropractic Association (2012)

Education

- MA (Cantab)
- Lic. Spec. Dr. Eur. (Brussels)

Memberships

- PNBA
- PIBA
- Active in Wales & Chester Circuit

Publications

- Contributed Chapter to *An Introduction to Human Rights and the Common Law* (Hart Publishing, 2000).
- Co-wrote 'Blanket doping bans and human rights. Does a blanket ban on Russian athletes competing at Rio 2016 contravene human rights law?' *GSLTR* vol. 7 no.4 December 2016
- Law Pod UK Ep. 39