

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.

*"A real star of the Clinical Negligence Bar." "An extremely authoritative silk who is so easy to listen to when on his feet. He has exceptional analytical skills."*

**Legal 500 2024**

*"He is charming to all, but combines tenacity and intellect which makes him a fierce opponent and someone you want to have on your side first."*

**Chambers & Partners 2024**

*"Richard is an extremely strong and relaxed advocate achieving the best possible results for his clients."*

**Chambers & Partners 2024**

# Clinical Negligence

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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

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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

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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

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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

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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 Sir Paul Jenkins QC (Hon) Deceased (2018)**: Represented surgeon following tragic death of eminent barrister during surgery.
- **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

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Richard is instructed in a wide variety of sports injury claims, including those of maximum severity, as well as in disciplinary and regulatory proceedings (including on behalf of the RFU). He has particular recent experience of claims relating to concussions and brain injury.

He has spoken at numerous conferences in relation to head injury claims in sport.

Richard has a particular expertise in athlete welfare, especially at the interface between sport and medicine.

In addition, he has experience of selection disputes (including for a Paralympic squad).

## Selected Cases

### Sports Injury Claims

- **Q v Z [ongoing]**: Richard represents a Premier League football club and its player in respect of a claim for damages brought by an opposing player following an allegedly negligent tackle on the field of play.
- **G v N [ongoing]**: Richard represents a Super League Rugby League club in respect of a substantial claim for damages brought by one of its former players, alleging negligent mismanagement of concussion injury.
- **SH v X NHS Trust & Y RFC [2021-23]**: represented NHS Trust in respect of claim relating to alleged negligent mismanagement in A&E of concussion injury suffered by young amateur rugby union player who went on to collapse on the pitch in a match, suffering very severe brain injury. Claim resolved following ADR.
- **H v B & Others [2020-21]**: represented Premiership rugby union Club doctor in respect of substantial claim for damages brought by Matt Hankin, former Premiership rugby union player, alleging negligent mismanagement of concussion injury sustained on pre-season “teambuilding” tour. Claim resolved at confidential mediation. (Reported on issues of costs only, in which proceedings Richard had no involvement – *Hankin v Barrington & Others* [2021] EWHC B1 (Costs)).
- **W v J & Others [2017]**: advised that successful application be made to strike out mismanagement of concussion claim brought by Cillian Willis, former Premiership rugby union player against Club doctor.
- **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.

### Disciplinary/Regulatory Cases

- **Six Nations Rugby Ltd v Dr Rayner [2022]**: instructed by Angus Hetherington, Legal Counsel in Discipline at the Rugby Football Union, Richard represented Dr Nigel Rayner, England U20 Team Doctor, before the Six Nations Disciplinary Committee on 21st April 2022.
- **RFU v James Taylor [2022]**: Richard was instructed by Angus Hetherington and David Barnes of the Rugby Football Union to present the case against James Taylor at a hearing on 30<sup>th</sup> November before an RFU Disciplinary Panel. The case arose out of alleged verbal and physical abuse of a match referee aged under 16, raising safeguarding concerns. James Taylor was suspended from attending any rugby match in any capacity for 30 weeks
- **RFU v Joe Marler [2022]**: Richard was instructed by Angus Hetherington and David Barnes of the Rugby Football Union to present the case against Joe Marler of Harlequins and England at a hearing on 30<sup>th</sup> December before an RFU Disciplinary Panel. The case arose out of comments made by Joe Marler to Jake Heenan of Bristol Bears during a Gallagher Premiership rugby union match on Tuesday 27<sup>th</sup> Joe Marler was charged with conduct prejudicial to the interest of the Union and the Game.

## Public Inquiries

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## Selected Cases

- **UK Covid-19 Public Inquiry (2023-):** Instructed to lead team of counsel on behalf of Welsh Ambulance Services NHS Trust.

## Appointments

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

## Awards

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- Fellowship of the British Chiropractic Association (2012)

## Education

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

## Memberships

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- PNBA
- PIBA
- Active in Wales & Chester Circuit

## Publications

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- 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