

Rory Badenoch

Call: 2010



Rory has extensive experience in cases involving personal injury of all kinds. His principal areas of practice are Clinical Negligence, Inquests, Employer's and Public Liability and RTA cases.

He has a particular interest in cases involving clinical negligence and is regularly instructed in claims ranging from sub-standard cosmetic surgery to catastrophic brain injury, and death in children arising from obstetric and paediatric negligence.

In addition to his civil practice he frequently represents families at inquests in which clinical negligence is suspected, an example of which led recently to a successful settlement on behalf of parents bereaved by obstetric negligence. He also represents the families in cases involving deaths in custody.

"Rory has come into his own in the last few years; he can deal with the most complex of cases with a calm and reassuring manner. His judgement is exceptional when considering difficult points of law and the advice he gives to clients."

Legal 500 2023

"Approachable, well prepared and excellent with clients, with great attention to detail and able to grasp issues (particularly in a short timescale) quickly. Also approaches matters with great care and sensitivity given the nature of the type of work."

Legal 500 2022

Clinical Negligence

Rory specialises in cases involving clinical negligence and is regularly instructed on behalf of Claimants.

He regularly lectures on a variety of aspects of clinical negligence, including, most recently, on causation and consent.

In addition to his civil practice he is frequently instructed to attend inquests in which clinical negligence is suspected.

His expertise in claims ranges from:

- failure to diagnose tendon injury resulting in permanent disability,
- delayed diagnosis of appendicitis,
- negligently performed shoulder/ hip / knee surgery,
- failure to obtain informed consent,
- substandard dental care;
- pressure sores;

to claims involving deaths attributed to:

- delayed diagnosis of cancer;
- delayed diagnosis of sepsis;
- administration of inappropriate antibiotic prophylaxis;
- negligent midwifery / paediatric and / or neonatal care;
- the administration of unindicated drugs;
- delayed treatment / failure to follow clinical pathways.

Before starting in practice at the Bar Rory spent a year as a paralegal in the Clinical Negligence Department at Leigh Day solicitors, following which he became a tenant at 12KBW.

Selected Cases

- £900,000 on behalf of a teenager whose infected hip joint was not diagnosed resulting in premature hip replacement.
- £600,000 on behalf of a woman who sustained significant muscle necrosis and neurological damage, resulting in impaired sensation and neuropathic pain and the loss of most of the muscle of her lower leg
- £420,000 on behalf of the family of a woman who died following delayed diagnosis of bladder cancer.
- £125,000 on behalf of the wife of a man who died following a negligent delay in conducting laparoscopic cholecystectomy.
- £87,500 on behalf of a woman who suffered complications following a bilateral oophorectomy.
- £55,000 on behalf of a mother for psychiatric injury caused as a result of the death of her newborn baby following negligent obstetric and neonatal care.
- £50,000 on behalf of a man who underwent negligently performed hip replacement surgery.

Inquests

Over the last few years Rory has gained considerable experience in representing families at inquests in which clinical negligence is suspected:

These deaths have included investigations into very complex areas of medicine and science including:

- obstetrics
- neonatology
- paramedic and ambulance care
- neurology and neuroradiology
- general surgery
- urology
- emergency medicine
- interventional cardiology

He has also gained experience in:

- Article 2 inquests, involving psychiatric patients and suicide;
- Road traffic inquests (on behalf of both insurers and families);
- Inquests involving deaths in the workplace.

Such undeniably upsetting cases – often very close to the time of the death of a loved one and in difficult circumstances – involve careful and considerate client handling skills that are not always required in civil cases.

Rory regularly lectures on the subject of inquests, and hopes to continue to represent and support families and doctors in what can be a very distressing process for all involved.

Listen to Rory discuss the developments in inquest law that practitioners will need to know about on [episode 175](#) of our podcast, Law Pod UK.

Selected Cases

- Inquest into suicide of teenage girl examining a link to prescribed acne medication. Represented her family. (Press links: [BBC](#), [ITV](#), [Standard](#))
- Inquest into death of a newborn from severe anaemia. Acted for the family.
- Inquest into the death of a teenage girl who died as a result of diabetic ketoacidosis. Represented the family. (Press link: [ITV](#))
- Inquest into the death of a baby boy who died as a result of avoidable perinatal asphyxia. Represented the family. (Press links: [BBC](#), [Daily Mail](#), [Echo News](#), [Halstead Gazette](#))
- M4 crash inquest represented the driver of the lorry. (Press links: [BBC](#), [ITV](#), [Express](#), [Get Reading](#))

Personal Injury

Rory has extensive experience in all kinds of personal injury litigation and particularly employer's and Public Liability and RTA's

He is frequently instructed by local authorities, insurers and the MIB as well as undertaking work for claimants on a CFA basis.

Rory is regularly instructed on behalf of both defendants and claimants in high value cases involving catastrophic brain injury and life-changing disability.

He has often handled Road Traffic cases including cases involving suspected fraud, exaggerated claims, claims involving CRPS, and Low Velocity Impact ("LVI") work. Being a keen road cyclist himself, Rory has developed an interest in cases involving cyclists.

His regular court appearances in contested personal injury trials (a significant part of his practice in his early career at the bar) has given Rory a great deal of advocacy experience and helped him to develop excellent client handling skills.

Education

- College of Law: BVC (Very Competent)
- BBP Law School: GDL (Commendation)
- University College London – BA (Hons) English Literature 2:1

Memberships

- PIBA
- AvMA

Publications

- Contributor to the 1COR Quarterly Medical Law Review (QMLR)
- Law Pod UK Ep. 175: [Essential Inquest Law Update](#)