



1 CROWN OFFICE ROW

## Charlotte Gilmartin

Call: 2015



Charlotte Gilmartin accepts instructions in all areas of Chambers' work and is developing a broad practice, in particular in Clinical Negligence, Personal Injury, Inquests, and Public Law and Human Rights. Charlotte joined Chambers as a tenant in March 2018 following successful completion of pupillage.

She regularly acts for both claimants and defendants in complex clinical negligence matters, advising on liability and quantum, settling a variety of pleadings and advising in conference. She has appeared in court in a variety of civil hearings on behalf of both claimants and defendants. Charlotte also regularly appears before Coroners and has provided representation in immigration proceedings before the First Tier Tribunal. Charlotte has also represented local residents' associations in planning inquiries on a pro bono basis, instructed through the Environmental Law Foundation.

Charlotte developed an in depth knowledge of the case law and procedures of the European Court of Human Rights during an extended secondment to the UK Division of the Court in 2019 – 2020. She is interested in international and public law generally and is developing this area of her practice.

In addition, Charlotte is instructed as junior counsel to the Infected Blood Inquiry, also known as the contaminated blood scandal, regarded as one of the most significant adverse public health events in the United Kingdom.

During pupillage at One Crown Office Row, Charlotte was involved in a variety of public law, clinical negligence and professional regulatory matters. During her previous twelve month pupillage, Charlotte assisted in a range of public law, EU/competition law and commercial law cases. Prior to commencing pupillage at One Crown Office Row, Charlotte was the judicial assistant to Lord Neuberger at the Supreme Court of the United Kingdom. In 2014, Charlotte taught undergraduate Contract law and European Union law at the University of Oxford.

# Clinical Negligence

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Charlotte is developing a busy and varied practice and is regularly instructed for Claimants and Defendants in complex clinical negligence matters. She has appeared in the County Court and High Court in a variety of interlocutory hearings, advised on liability and quantum, and settled a variety of pleadings.

## Selected Cases

- Acting for an NHS Trust, advising in conference with multiple clinicians and expert input regarding allegations of breach of duty in a missed cancer diagnosis case.
- Acting for a Claimant, advising on quantum in a claim brought under the Fatal Accidents Act and the Law Reform (Miscellaneous Provisions) Act.
- Settling a defence to a claim brought under the Fatal Accidents Act involving a cerebral abscess and complex cardiovascular history.

# Inquests

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Charlotte is regularly instructed in inquests and has appeared on behalf of bereaved families and NHS Trusts. Charlotte is committed to pro bono representation and has frequently been instructed on a pro bono basis.

## Selected Cases

- Represented a clinician in an inquest touching the death of a woman who died from a missed cancer diagnosis.
- Acted in a high profile inquest concerning the death of a cyclist, Prof. Bitner-Glindzicz, who died when a van driver opened his door into her path causing her to fall into the path of oncoming traffic.
- Represented the family in an inquest raising issues of mental health treatment and discharge from hospital.
- Represented a GP in an inquest touching the death of a young woman in hospital.
- Represented the family in an inquest touching the death of a woman who died in hospital following a delayed cancer diagnosis.
- Represented the family in a three day inquest touching the death of a young woman with a history of allergies.

# Child Abuse Compensation Law

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Charlotte has a developing practice in child abuse claims on behalf of claimants. She has successfully

appeared before the Criminal Injuries Compensation Appeals Panel. She has experience of settling Particulars of Claim and advising in conference in cases where limitation is in issue.

## Personal Injury

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Charlotte has been instructed in claims based on the Occupiers' Liability Acts and Employer's liability for accidents in the workplace legislation.

## Environmental Law

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Charlotte accepts instructions in all areas of Environmental law. She has experience of appearing in interlocutory hearings in claims brought in nuisance. She has also appeared in a variety of Planning Inquiries.

Notably, Charlotte successfully represented the Isleworth Society (a Rule 6 objector) at an eight day appeal against the refusal of permission to replace land used as allotments with residential flats and to relocate allotments to Syon Park. She was instructed pro bono by the Environmental Law Foundation.

Recently she was involved in the first stages of a [South Downs Planning Inquiry](#) for the Dangstein Conservancy.

Charlotte also appeared on a pro bono basis on behalf of a residents' association at a planning inquiry into a proposed development at 68-86 Farringdon Road, London, and in an inquiry regarding forestry management and development.

In 2020 she was jointly nominated for Advocate's [Young Pro Bono Barrister of the Year Award](#) for her representation of the Dangstein Conservancy.

## Immigration

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Charlotte has appeared at the First Tier tribunal on behalf of claimants in immigration appeals and has advised in unlawful detention claims. During her pupillage at 1COR, Charlotte developed experience of a wide range of immigration matters and she is keen to develop this aspect of her practice.

## Public Inquiries

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Charlotte is instructed as junior counsel in the [Infected Blood Inquiry](#). She also writes for the [UK Human Rights Blog](#).

# Public Law

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Charlotte regularly accepts instructions in a variety of public law matters. She has settled grounds of judicial review on behalf of Interested Parties and advised on merits. She is regularly instructed on a pro bono basis. Charlotte assisted with the preparation of witness evidence in the Uber London Limited v TFL licence appeal before Westminster Magistrates' Court and has been instructed by the Met Police as independent counsel to review documents for legal privilege.

Charlotte is also a frequent contributor to the [UK Human Rights Blog](#). Listen to Charlotte discuss transgender parental terms on episode 96 'what is a mother in law?' on our podcast Law Pod UK [here](#).

## Employment & Equality

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Charlotte has acted in cases concerning unfair dismissal and assisted with the preparation of witness evidence. She has acted in disputes relating to the interpretation of unfair contract terms and defective performance. She is keen to develop this aspect of her practice.

### Awards

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- Inner Temple Pegasus Award (2019)
- Wronker Prize for the best overall performance in Final Honour Schools Examinations, University of Oxford (2013).
- Wronker Prize for the best performance in Tort law, University of Oxford (2013).
- Gibbs Book Prize for Private law, University of Oxford (2013).
- Field Fisher Waterhouse Prize for the best performance in European Union law, University of Oxford (2013).
- Henriques Prize for Outstanding Academic Performance, Worcester College, University of Oxford, (2013).

### Education

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- Bar Professional Training Course, University of Law (Very Competent) (2015)
- Bachelor of Civil Law, Linacre College, University of Oxford, (Distinction) (2014)
- BA Hons Jurisprudence (Law with French Law), Worcester College, University of Oxford (First Class Honours) (2013)

### Memberships

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- APIL
- PNBA
- ALBA

## Publications

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- Contributor to the 1COR Quarterly Medical Law Review (QMLR)
- Contributor to the UK Human Rights Law Blog and Law Pod UK Episodes 96 & 19.