



1 CROWN OFFICE ROW

# Sarah Lambert QC

Call: 1994 QC: 2018



Sarah Lambert QC is a highly experienced specialist in complex clinical negligence, inquests, personal injury and costs cases. Sarah's empathetic but firm, and decisive but diplomatic approach makes her an astute advisor as well as a skilful and persuasive advocate. With a strong track record of trial and settlement success, recent recovery on behalf of clients is in the tens of £millions. She is also often brought in to give unpalatable advice in difficult circumstances.

Sarah has in addition wide ranging judicial experience, sitting as a Recorder on the South Eastern Circuit (both in crime and in civil) and as a Deputy Costs Judge of the Senior Courts Costs Office.

In addition, Sarah accepts direct access instruction for suitable cases including professional discipline, inquests and costs.

Both as a junior and in silk, Sarah has been consistently recognised by the directories as a leader in her fields.

*"Calm, measured, eloquent and always stunningly well prepared." "She's a deputy costs judge who is highly respected." (Chambers & Partners 2021)*

*"Bright, understands the issues, and a brilliant advocate, as well as being well prepared and compassionate." (Legal 500 2021)*

*"A very receptive barrister who likes to get heavily involved in a case. The guidance she offers is always very well received." (Chambers & Partners 2020)*

*"A very safe pair of hands and also a costs expert." (Legal 500 2019)*

*"Wonderful with clients and fantastic in court. She knows what she's doing and on her feet she is excellent." (Chambers & Partners 2019)*

*"Well-regarded costs practitioner with wide-ranging experience in the field, who is a popular choice." "She has an*

*extensive experience in respect of all areas of medicine and dentistry.” (Legal 500 2018)*

*“Very professional, approachable and accessible.” (Chambers & Partners 2018)*

*“Approachable and easy to work with. Recommended for wasted costs cases.” (Legal 500 2018)*

*“She is very competent” and “judges like her.” (Chambers & Partners 2018)*

*“A pleasure to work with.” (Legal 500 2017)*

*“She gets to the root of the case very quickly and is excellent on her feet. She knows how to read a judge and take the points which need to be taken.” (Chambers & Partners 2017)*

*“A decisive and skilful advocate.” (Legal 500 2017)*

*“Particularly robust when dealing with high-value, complex clinical negligence matters.” (Chambers & Partners 2017)*

*“She gets to the root of the case very quickly and is excellent on her feet.” (Chambers & Partners 2017)*

*“Ruthlessly efficient in dealing with experts and cross-examining witnesses.” (Legal 500 2016)*

*“Calm, measured, eloquent and always stunningly well prepared.” “She’s a deputy costs judge who is highly respected.”*

**Chambers & Partners 2021**

*‘Bright, understands the issues, and a brilliant advocate, as well as being well prepared and compassionate.’*

**Legal 500 2021**

*“A very receptive barrister who likes to get heavily involved in a case. The guidance she offers is always very well received.”*

**Chambers & Partners 2020**

## Clinical Negligence

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Sarah is a highly regarded specialist in clinical negligence. Experienced across the board in all types of medical claims, she now increasingly focuses on highly complex neurological brain injury, spinal, amputation and obstetric injury claims, including twins, and wrongful birth cases, acting both for Claimants and Defendants. Noted for her empathy, she also has a significant caseload of fatal cases, particularly those arising out of delayed cancer diagnoses, cases of suicide by mental health patients, and secondary victim claims.

## Selected Cases

### Claimants

- **AB (a child) v B and T University Hospitals NHS Foundation Trust 2020:** settlement in excess of £9 million achieved for a child suffering from 4 limb dystonic cerebral palsy and delay as a result of mismanagement of an endotracheal tube when he was 8 weeks old.
- **LXK (A child, by her Mother and Litigation Friend, DXR) v NEL NHS Foundation Trust 2020:** £2 million settlement achieved for a child Claimant in respect of late diagnosis of congenital hip dysplasia.
- **CJ (A protected party) v B and T University Hospitals NHS Foundation Trust 2020:** £1 million settlement achieved for older female claimant who had suffered a stroke due to a failure to anticoagulate.
- **EN (a child) v S University Hospital NHS Trust 2020:** successful settlement achieved in an obstetric claim acting for a girl twin born with compromised kidney function.
- **KH (A protected party, by his Father and Litigation Friend) v NG Hospital NHS Trust 2020:** (ongoing) very high value claim re delay in the diagnosis and treatment of the Claimant's developmental dysplasia of the left hip. Claimant has unrelated global developmental delay.
- **XX v X University Hospitals NHS Foundation Trust 2020:** (ongoing) wrongful birth claim acting for a mother making a claim in respect of the birth of her daughter with Downs Syndrome.
- **OG (a child) v M E Hospital Services NHS Trust 2020:** (ongoing) obstetric claim acting for a boy twin born with profound neurological injury.
- **CW v M NHS Foundation Trust 2020:** (ongoing) claim for an adult female claimant in respect of aortic occlusion leading to bilateral below knee amputations and ischaemic cord damage in the claimant's mid 40s.
- **JB (a child) v C University H NHS Foundation Trust 2020:** (ongoing) infant claim for a boy with hypoxic ischaemic birth injury Grade II hie microcephalic, 4 limb cerebral palsy, global developmental delay, blindness, hip dysplasia and epilepsy.
- **GP v GOSH NHS Foundation Trust 2019:** 7 figure settlement achieved for an adult cerebral palsy sufferer in respect of surgical negligence suffered at the age of 12. Complex arguments in respect of co-morbidities and existing needs.
- **A v B and C F Hospitals NHS Trust 2019:** fatal claim with 7 figure settlement achieved on behalf of a widower and 2 young children following a maternal sepsis death.
- **JP v B and T University Hospitals NHS Foundation Trust 2019:** £1.6 million settlement achieved for an older female claimant who suffered spinal epidural abscess leading to paraplegia.
- **MN (a child) v N Hospital NHS Trust 2019:** successful settlement for a child claimant in respect of severe neurological injury and deafness suffered as a result of negligent failure to diagnose pneumococcal meningitis and haemolytic uraemic syndrome.
- **AR v RB NHS Foundation Trust 2018:** very hard fought spinal injury claim in respect of tetraplegia suffered following a fall from a chair in hospital. Limited life expectancy claim with a £4.2 million settlement achieved.
- **GM (a child) v B H & R U H NHS Trust 2018:** achieved a £15 million settlement on behalf of a profoundly neurologically injured child with a limited life expectancy.

## Defendants

- **JR v GP 1, GP 2 and BC University Health Board 2020:** achieved discontinuance against defendant in high value vascular case, (amputation).
- **CG v RW NHS Trust 2020:** achieved advantageous settlement in a claim arising out of a failure to treat paranasal sinus infection in a teenager, leaving him with significant brain damage and personality change.
- **SP and HP v UHB NHS Foundation Trust 2020:** (ongoing) acting for defendant in obstetric claim arising out of the delivery of twins.
- **TC v UHB NHS Foundation Trust 2020:** (ongoing) acting for defendant in neurosurgical claim arising out of alleged delay in undertaking spinal decompressive surgery.
- **SP (a child) v B W&C C Hospital and R W NHS Trust 2020:** (ongoing) acting for the defendants in a complex neurological claim concerning focal brain injury from evolving and untreated hydrocephalus.
- **TR v P A Hospitals NHS Trust 2020:** (ongoing) acting for the defendant in respect of a claim by a child suffering profound neurological injury from neonatal herpes encephalitis.
- **MS v H & District NHS Foundation Trust 2020:** (ongoing) acting for the defendant in a wrongful birth claim arising out of the birth of the female infant with phocomelia.
- **PH v NB NHS Trust 2020:** (ongoing) acting for the defendant in a claim for loss of vision in a young mother.
- **XX v S NHS Foundation Trust 2020:** (ongoing) defending a £10+million obstetric claim in respect of a child born with acute profound injury without labour.
- **SS v U H B NHS Foundation Trust 2019:** acted for the defendant in a high value neurosurgical claim (back) in respect of incomplete paraplegia arising non negligently. Informed consent case. Successful settlement achieved.

## Inquests

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Instructed by families and by NHS Trusts, with particular expertise in medical deaths, Sarah has considerable and sensitive experience of both jury and non jury inquests, high profile cases and also deaths in custody.

## Selected Cases

- **Re Kevan Watts (2019 – ongoing):** Sarah currently acts for the family of Kevan Watts in respect of his death following cardiac transplant surgery.
- **Re Michelle Roach (2018):** Maternal death from pulmonary embolism. Sarah instigated the inquest process after receipt of papers for a civil claim. Care of a GP and NHS Trust under critical scrutiny. Neglect verdict.
- **Re Graham Stoten (2016-2018):** Sarah represented one of 10 families at an inquest where the conduct of disgraced urologist, Mr Paul Miller, was under scrutiny.
- **Re Stella Alao 2017:** Sarah persuaded the coroner to open and hold an inquest into a maternal death from sepsis which occurred in 2014. Article 2 inquest raising issues of Neglect and Systemic failings in care.
- **Re Baby Frank Gamble 2013:** (secondary victim claim settled 2017): Neonatal death.

- **Re Michael Taylor Deceased (2011-2012):** Jury inquest, death from cardiac arrest in Lewes prison of a life serving prisoner.

## Costs

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Sarah has a notable specialist costs practice and has appeared in many guideline cases. She has recently been responsible for drafting the Claimants' costs submissions to the Supreme Court following the decision in *Poole Borough Council v GN and Another* [2019] UKSC 25.

Her experience covers points of law, test points, Part 36, wasted costs cases (both sides), assessments, CFA compliance and success fees, claims against third party funders, costs budgeting and capping, and personal liability claims against experts, at all court levels.

In 2016 she was instructed on behalf of the Law Society in its intervention in the leap frogged appeal of *J C and A* in which the Court interpreted the fixed costs provisions in the Pre-action protocol for low value personal injury claims in road traffic accidents.

Sarah also sits as a deputy costs judge in the Senior Court Costs Office.

## Selected Cases

- **The Right Hon Charles Edward Maurice (Ninth) Earl Spencer v Associated Newspapers Ltd (2021):** Instructed to advise Associated Newspapers.
- **Poole Borough Council v GN and Another [2019] UKSC:** Costs submissions.
- **JC & A Solicitors Ltd v (1) Andeen Iqbal (2) EUI Ltd: JC & A Solicitors Ltd v (1) Lucas Lonsdale Smith (2) EUI Ltd: JC & A Solicitors Ltd v (1) Holly Pitts (2) EUI Ltd (2017) EWCA Civ 355**
- **Webb v Liverpool Women's NHS Foundation Trust Court of Appeal (Civil Division) [2016] EWCA Civ 365; [2016] C.P. Rep. 30; [2016] 2 Costs L.R. 411; (2016) 150 B.M.L.R. 42**
- **Michael Richard Cashman v Mid Essex Hospital Services NHS Trust [2015] EWHC 1312 (QB)**
- **Marion Haycock v Heart of England NHS Trust (2014):** Costs arguments in respect of CPR Part 36 and Part 44.2
- **Martin Church Deceased v Great Western Hospitals NHS Trust 2012:** High Court Part 8 Claim by Claimant seeking to obtain relief from usual costs consequences of accepting a Part 36 offer out of time
- **Walter Hall v Thomas, Hardwick, Rathbone & Everton Football Club, Manchester District Registry 21 (2012)**
- **Medway Primary Care Trust v Marcus [2011] EWCA Civ 750**
- **Fortune v Roe [2010] EWHC 90180**
- **E, R (on the application of) v Governing Body of JFS & Anor (Rev 3) [2009] UKSC 1**
- **Cullen & Anor v Chopra [2007] EWHC 90093**
- **Arkin v Borchard Lines Ltd & Ors [2005] EWCA Civ 655**
- **Cafane v London Borough of Lambeth [2004] EWHC 90042**
- **Smith v Havering Hospitals NHS Trust [2003] EWHC 9002**
- **Arkin v Borchard Lines Ltd [2003] EWHC 2844 (Comm)**

# Personal Injury

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Sarah's Personal Injury practice includes RTA claims, employee claims, occupier's liability, trips and slips, group litigation, abuse claims, criminal victim claims. She brings her clinical negligence expertise and experience to bear on complex neurological brain injury, spinal injury, multiple injury claims and prior co-morbidity cases.

## Selected Cases

- **SM (By the O.S) v. ASDA (2019):** 7 figure settlement achieved in complex high value brain injury claim on behalf of a surviving twin born prematurely after her mother went into labour having slipped and fallen in a supermarket, the other twin being stillborn.
- **Gerald Bentley v North West London Hospital (2017-2019):** claim by an 83 year old Parkinson's sufferer for injuries suffered when an exercise bike collapsed in the physiotherapy department.
- **Winterbourne View Care Inquiry (2013):** Instructed on behalf of owner/operator of the home in Group Litigation by various Claimants.
- **Carol Watkins-Protain v Beaulieu Enterprises Limited (2012):** Employee claim by the personal assistant, driver and general factotum to Lord and Lady Montague of Beaulieu.
- **Re LM (2011):** Successful high value settlement of claim by UK's best young American footballer shot in a London nightclub, claim creatively pursued against the third party nightclub rather than against the attacker.

# Professional Discipline & Regulation

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Sarah regularly defends before both the GMC and GDC. Her experience encompasses alleged personal and professional misconduct cases, clinical malpractice, professional fraud and non clinical criminal matters, as well as health and substance dependency cases.

Sarah is qualified to accept [Direct Professional Access](#) in this area. For further information please see the [Direct Access Portal](#).

## Selected Cases

- **GMC v Dr Christopher Nutting (2019)**
- **GMC v Dr Justin Stebbing (2017-2018)**
- **GDC v Dr Thamasine Stephenson (2013-2014)**
- **GMC v Dr Caolin McLaverty (2012)**
- **GMC v Dr Tony Steele (2011)**
- **GMC v Dr Mark Mellor (2010)**
- **GMC v Dr Sonia Val-Carreras (2010)**
- **GDC v Dr Steven Bal Sharma (2009-2010)**

- **GMC v Dr Richard Evans (2008)**

## Direct Access

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Sarah accepts **Direct Access** instruction in suitable cases. You can view her profile [here](#).

### Appointments

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- Accredited PICarbs Arbitrator
- Deputy Costs Judge (Taxing Master) of the Senior Courts Costs Office (2013)
- Recorder on the South Eastern Circuit (crime 2012) (serious sex offences 2016) (civil 2017)

### Awards

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- Gray's Inn Goldie Scholar

### Education

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- Inns of Court School of Law (Very Competent)
- BA Hons, Magdalen College, Oxford
- Brighton and Hove High School

### Memberships

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- PIBA executive committee
- PNBA
- South Eastern Circuit

### Publications

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- Contributor to the 1COR Quarterly Medical Law Review (QMLR)
- Contributor to Westlaw online law encyclopaedia
- Costs entries for Jowitt's Dictionary of Law
- Contributor to the Law Society's Ethics for Advocates Manual
- Co-author of "Wasted Costs and Costs against Non-Parties" Sweet & Maxwell Personal Injury Handbook
- Contributing author to "An Introduction to Human Rights and the Common Law", English & Havers