

Laura Begley

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Occasionally led, Laura Begley conducts personal injury and clinical negligence cases often against silks in complex and high value work.

She is a seasoned barrister with great technical ability who will cut to the chase and provide direction in complex claims. She is empathetic with clients but robust when circumstances require it and very skilled in getting the best out of experts instructed and identifying the flaws or lines of attack in opposing expert evidence. She has considerable experience in brain, spinal and other catastrophic injury claims and will handle all aspects of such claims from initial instruction through to JSM, mediation or trial as appropriate with meticulous attention to detail but at all times maintaining perspective. In 2022 she won Personal Injury Junior of the Year at the Chambers UK Bar Awards and in 2018 she won the Legal 500 Personal Injury / Clinical Negligence practitioner of the year.

Laura also has a longstanding sub-specialism in criminal injuries compensation claims having co-authored the original edition of 'Criminal Injuries Compensation Claims' and then generally editing the second edition. She is experienced in judicial review and appellate work arising out of these cases. She also contributes to Kemp & Kemp Quantum of Damages and Personal Law Practice and Procedure and regularly lectures in personal injury and clinical negligence.

## Areas of Expertise

### Personal Injury

Laura is a seasoned personal injury practitioner with particular expertise in complex brain injury claims but her practice covers the whole range of personal injuries whatever the cause including multiple orthopaedic injuries and psychiatric injuries.

She is often chosen to represent vulnerable individuals in cases where there was a pre-existing vulnerability, learning disability or underlying illness which complicates quantum.

### Notable Personal Injury cases

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JXX v See Woo Foods Limited

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Serious traumatic brain injury to manual worker with osteoarthritis pre-accident and a low IQ, who spoke little English, had never lived independently pre-accident. Settlement of £2.4m negotiated against a silk. (2020)

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JXP v PXB

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Serious brain injury to a boy aged 7 causing acute behavioural difficulties with suicidal ideation requiring special education and resulting in a very significant risk of developing epilepsy. Laura took over from silk and junior; marshalled intricate expert evidence relating to academic and career trajectory, attainment of capacity and secured settlement of £1.9m on a provisional basis after a failed JSM against a silk, by taking a judicious approach to further evidence. (2020)

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Bishop v Broomfield & Privilege Insurance UK Limited

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18-year old girl, not seat belted, thrown out of car driven by drunk friend resulting in T5 paraplegia. Led in this case by Andrew Ritchie QC of chambers Laura prepared a 78 page compellingly crafted schedule with complex projections of earnings, alternative approaches on accommodation and stepped care needs and a novel claim for expenses associated with management of her award. The schedule contributed to a settlement (on a lump sum + PPO basis) equating to £12m after 2 failed JSM's and a failed mediation. (2020)

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D v Forrest

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Hypoxic brain and leg injuries in accident when car reversed over the Claimant. Capacity to litigate and manage finances on a knife edge. Overcame difficult arguments on capacity, extent of care need for self caring and largely independent woman with executive problems to steer the case to a settlement of £2.85m against a silk.

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MGPS v Spencer and Liberty Specialist Markets Limited

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Brain damage to teenage girl as a result of road traffic accident resulting in hemiplegia and devastating behavioural problems. Negotiated a settlement against a silk of £3.1m and PPO's of £93,375 net of contributory negligence at 1/3 equating to a lump sum valuation of approximately £10m.

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H v Storfer

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RTA mild brain injury and functional neurological disorder, young woman. Night before JSM Defendant alleged fundamental dishonesty. Reasoned powerful negotiation secured a settlement of £300,000 against silk (2020)

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ZF1 v Richer Sounds Limited

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Liability denied claim; fall backwards down flight of stairs at work, head and back injuries. Claimant had no memory of accident which was not witnessed though there was some grainy CCTV footage. My detailed analysis of the evidence in the context of law on workplaces since the Enterprise Act 2013 and experienced confident predictions of value based on likely further expert evidence resulted in an apportioned settlement of £1.3m on a 60/40 basis in the Claimant's favour approved by court. (2020)

## Clinical Negligence & Healthcare

Laura's clinical negligence practice covers a broad spectrum of cases from obstetric claims for cerebral palsy and shoulder dystocia to neuro-surgical and other surgical failures to delay in or misdiagnosis and cases concerning organisational failures and failures in training and communication.

### Notable Clinical Negligence & Healthcare cases

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#### AB v Shrewsbury & Telford Hospital NHS Trust

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Complex liability denied claim, spiral fracture of lower leg resulting in reduced weight bearing equinovarus deformity and serious chronic pain requiring amputation and leading to a raft of complications requiring 24/7 care. Claim complicated by CCG funding of care pre-settlement and issues associated with moving to another area against backdrop of apportioned liability settlement. Analysis of voluminous expert evidence (31 reports in 10 disciplines) and persuasive negotiation resulted a £3m settlement after 3 JSMs weeks before trial against a silk. (2020)

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#### M v London v Northwest University Healthcare

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Missed diagnosis of cervical cancer, nurse with promising career prospects. Prepared compelling schedule for progressive loss of promotion. Technical legal issues on interface between live Claimant's claim and fatal claim. Persuaded Defendant to increase offer of £1.08m at JSM to £1.2m post JSM to cover additional elements of fatal claim (2020)

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#### L v Epsom & St Helier Trust

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Laura, led by John Foy QC has acted in this cerebral palsy case since 2015. The Claimant is largely but not wholly cognitively intact with definite physical disabilities. Careful marshalling of expert evidence resulted in re-framing of the Claimant's case and an admission of full liability by the Defendant. Laura has secured £1.5m of interim payments to date which has enabled the family to move to properly adapted accommodation and to support the Claimant's developmental needs. (ongoing).

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#### JP1 (Administrator of the Estate of KP1 Deceased) v. East Sussex Healthcare NHS Trust

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Fatal clinical negligence claim, widow probably lacking capacity. Laura successfully navigated a breakdown in relationships between dependents and mediated a settlement of £900k against a backdrop of technical legal issues (competence of claim for court of protection costs for a dependent, who had the right to bring the estate claim and recoverability of accommodation costs ancillary to the provision of care in a fatal claim) (2018)

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#### NAC v Imperial Healthcare NHS trust

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Delayed diagnosis of bowel perforation, colostomy and damage to heart causing significant loss of life expectancy. Firm, pragmatic client management and meticulous case preparation by Laura paved the way for a settlement of £1.6m at mediation (2018)

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## Criminal Injuries Compensation Claims

Laura has a longstanding sub-specialism in criminal injuries compensation claims having co-authored the original edition of 'Criminal Injuries Compensation Claims' and then generally editing the second edition. She is experienced in judicial review and appellate work arising out of these cases. She has appeared in the Court of Appeal in 3 cases arising out of such claims.

### Notable Criminal Injuries Compensation Claims cases

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R (On the application of LHS) v First Tier Tribunal (Criminal Injuries Compensation Chamber) [2017] 12 WLR UK 497

Seriously brain damaged young man, pre-tariff scheme. Laura secured an award of £4.7m then obtained permission for actuarial evidence and formulated and drafted the skeleton arguments with oversight from her leader Grahame Aldous QC through to an appeal of a judicial review of the decision not to apply a different discount rate to future losses which would have increased the claim to £16m. Unsuccessful, but the appeal clarified the interpretation of the 1990 Scheme, affecting outcome in pending cases including one she had secured a £5m award in.

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CP (a child) v Criminal Injuries Compensation Authority [2015] QB 459

Laura led by John Foy QC argued the case as to whether the drinking of alcohol to excess by a pregnant woman in the knowledge that it would harm her unborn child amounted to the criminal offence of inflicting grievous bodily harm by administering a noxious substance to any other person contrary to the Offences against the Person Act 1861 s.23 so as to entitle the born child to criminal compensation as the victim of a violent crime. They won on every point save that the court of appeal found that a foetus was not to be regarded as a separate legal person and, except under statute, could not be the victim of a crime of violence. Consequently, an unborn child could not constitute "any other person" within s.23. This clarified the law on such claims and affected the outcome in pending cases.

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CICA v RS [2014] 1 WLR 1313

This case dealt with the interpretation of the phrase "witnessed and was present on the occasion when the other person sustained the injury" in para.9(b)(ii) of the Criminal Injuries Compensation Scheme in relation to secondary victims. The dicta of Laws LJ also gave valuable guidance on the proper role of police officers when giving evidence in CICA cases.

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E v CICA

Horrific assault causing the victim to fracture both feet and back and suffer terrible PTSD. Laura's persuasive written and oral submissions resulted in the Tribunal accepting almost every element of care as claimed was recoverable under the definition of 'care' including travel expenses associated with the provision of care and case management expenses increasing the award from £254,604 to £436,725. Her written submissions post hearing also secured a direction that the CICA pay the disbursements relating to the Appellant's expert evidence notwithstanding the CICA's opposition to the same. (2018)

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S v CICA

Childhood sexual abuse of highly educated woman who then became a nun. Serious issue as to whether she would therefore have

earned a living but for the abuse. Laura's cogent written and oral submissions and sensitive evidence in chief from the victim and her sister secured award of £478k close to the maximum of £500k. (2017)

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## Education

- ISCL : Bar Professional Training Course 1993
- Leeds University : Law Degree 1991

## Memberships

- Professional Negligence Bar Association
- Personal injury Bar Association
- Association of Personal Injury Lawyers

## Awards

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## Accreditation Logos

