



# Gemma Ralph

**Year of Call:** 2016

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## Overview

Gemma Ralph has a busy practice in civil and public law, specialising in clinical negligence and personal injury law, commercial and property disputes and public law. An established practitioner, Gemma acts for both Claimants and Defendants and combines meticulous advisory work with robust advocacy.

Frequently instructed in high-value, complex clinical negligence and personal injury cases, Gemma is experienced with claims across all medical specialties, including brain injuries, spinal injuries, amputation, chronic pain, fatal accidents, optical, hearing loss, obstetric and gynaecological cases.

Gemma has also appeared in the County and High Courts on commercial and property matters, including freezing orders, breach of contract, rental arrears and possession and forfeiture of property. Before coming to the Bar, she worked as Business Manager to the CEO of Coutts Bank, and has a particular interest in high-value, cross-border matters.

Gemma has particular expertise in public law and public international law. Before being called to the Bar, she spent ten years as a British Diplomat, serving both overseas and as Legal Researcher at the Foreign, Commonwealth and Development Office (FCDO), where her work spanned the gamut of UK foreign policy, including Brexit and the Kenya Emergency Group Litigation. Gemma is instructed by GLD in several Afghan Resettlement claims.

Gemma speaks English and Spanish.

## Clinical Negligence

Gemma Ralph is frequently instructed in high-value, complex clinical negligence cases for both Claimants and Defendants.

Gemma's experience includes brain injuries, spinal injuries, amputation, chronic pain, fatal accidents, optical, obstetric and gynaecological cases.

### Examples of recent cases include:

- **H v an NHS Trust** – Advised family in relation to a claim where Deceased who had a brain tumour suffered acute hydrocephalus and a mid-line shift following dislodgment of an external ventricular drain (EVD).
- **W v a University Health Board and an NHS Trust** – Advised Claimant and drafted Particulars of Claim in relation to a claim for negligent delay in revascularisation, leading to an above the knee amputation and reduced life expectancy.
- **V v GPs** – Advised Claimant and drafted Particulars of Claim in relation to a claim for negligent treatment of an above the knee amputation resulting in inability to use prosthetics and inability to work.
- **P v a Private Health Provider** – Advised Claimant on expert evidence and quantum in relation to a claim for negligent

arthroscopy leading to damage to the popliteal artery with long term risk of leg amputation.

- **N v an NHS Trust** – Advised Claimant in relation to a claim for negligent knee surgery resulting in a knee replacement.
- **S v a Local Health Board** – Advised Defendant on liability, merits, quantum and offers and drafted the Letter of Response in relation to a claim for failure to order an MRI scan where Claimant alleged they would not have undergone a knee arthroscopy had an MRI been ordered and were not advised of options (consent).
- **W v a Health Care Provider** – Advised Claimant, a diabetic, on expert evidence in relation to a claim for negligent podiatry which led to a foot ulcer and osteomyelitis.
- **H v a GP and an NHS Trust** – Advised Claimant in relation to a claim for negligent treatment leading to a deep abscess and infection in spine. Advised on evidence, quantum, drafted schedule including pension claim.
- **F v an NHS Trust** – Advised Claimant on expert evidence and quantum in relation to a claim for negligent gynaecological surgery leading to artery damage and significant psychological injury.
- **W v an NHS Trust** – Advised Claimant on expert evidence and quantum in relation to a claim for injury to the vaginal wall and urethra during childbirth, with associated PTSD.
- **W v a University Health Board** – Advised Defendant on merits and quantum of secondary victim claim for parents of neonate who died following negligent treatment.
- **S v an NHS Trust** – Advised family in relation to a claim where the Deceased sustained urological damage and a small bowel injury whilst undergoing a bilateral salpingo-ooporectomy and total abdominal hysterectomy and developed post-operative sepsis.
- **S-W v a University Health Board** – Advised Defendant on liability, merits, quantum and offers and drafted the Letter of Response in relation to a claim for failure to appreciate aberrant biliary anatomy during a laparoscopic cholecystectomy and incorrect treatment as a result.
- **C v an NHS Trust** – Advised Claimant on evidence and quantum, including provisional damages, in relation to a claim for negligent appendicectomy leading to a stump appendix, peritonitis and need for resection.
- **C v a GP and an NHS Trust** – Advised Claimant on merits, expert evidence and limitation in relation to a claim for complications following insertion of tension free vaginal tape (TVT).
- **D v an NHS Trust** – Advised Claimant on quantum and tactics in relation to a claim for infertility and fertility treatment, including in vitro fertilisation (IVF) following delay in diagnosis of a sexually transmitted infection (STI).
- **M v an NHS Trust** – Advised Claimant on quantum, offers, expert evidence and procedure in relation to a claim for negligent flexible sigmoidoscopy and negligent excision of a polyp leading to a repeat flexible sigmoidoscopy and psychological injury.
- **P v an NHS Trust** – Advised Claimant on liability, merits, quantum and further questions to an Expert and drafted Particulars of Claim in relation to a claim for the erroneous penetration of screws into the elbow joint and damage to the median nerve during an operation.
- **V v an NHS Trust** – Advised Claimant following mistaken debridement of tendon requiring reconstruction sacrificing two hamstring tendons.
- **B v an NHS Trust** – Advised Claimant on merits and on expert evidence in relation to a claim for myocardial infarction (heart attack) following treatment.
- **A v a GP** – Advised Claimant on expert evidence and quantum in relation to a claim for failure to treat C. Difficile leading to hospital admission with multi-organ failure, sepsis and acute kidney injury.
- **W v an NHS Trust** – Advised Claimant in relation to a claim for negligent management of diuretic therapy. Advised on evidence and quantum and drafted Particulars of Claim.
- **L&S v V** – Advised Claimants on enforcement of judgments in international jurisdictions for negligent cosmetic surgery.
- **Z v a Government Department** – Advised Claimant on quantum for failure to diagnose an orbital tumour to the eye requiring unnecessary surgery and resulting in ptosis.
- **R v an Optician** – Advised Claimant on expert evidence in relation to a claim for failure to refer disc swelling in the eye leading to delay in treatment for Idiopathic Intracranial Hypertension.

- **D v a University Health Board** – Advised Defendant on liability, merits and drafted the Letter of Response and further questions to an Expert in relation to a claim for failure to diagnose and treat retinal vein occlusion.
- **W v an NHS Trust** – Advised widow on quantum and drafted schedule of damages in fatal accident claim, including accountancy (pension) evidence.
- **D v a Local Health Board** – Advised Defendant on expert evidence in relation to a claim by a prisoner for psychological and physical injury for alleged delay in treatment, failure to carry out medication review and failure to prescribe medication.
- **M v an NHS Trust** – Advised family in relation to a claim where the Deceased developed and suffered worsening pressure sores in hospital.
- **W v an NHS Trust** – Advised Claimant on merits and expert evidence in relation to a claim for delayed hormone treatment.

## Academic qualifications

- MA (Oxon) Jurisprudence (Law), University of Oxford
- BPTC The University of Law

## Scholarships

- Astbury Scholar, Major Award, Middle Temple
- Winner, Middle Temple Young Barristers Association Moot (2017)

## Professional bodies

- Personal Injury Bar Association
- The Honourable Society of the Middle Temple
- Western Circuit