

Gemma Ralph

Year of Call: 2016
Email Address: gemma.ralph@3pb.co.uk
Telephone: 0330 332 2633

Overview

Gemma Ralph is a civil barrister, specialising in clinical negligence, personal injury, commercial and property disputes and public law. Gemma acts for both Claimants and Defendants and combines meticulous advisory work with robust advocacy. She is listed as a Leading Junior in Clinical Negligence in Legal 500 2027.

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 expertise in public law and public international law. She spent the first part of her career 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. She recently represented the Secretary of State for the Home Office in the Upper Tribunal (Immigration and Asylum Chamber) Country Guidance case **LR (Male VOTs) (CG)** [2026] UKUT 00315 (IAC) concerning Albanian trafficked boys and men, led by William Hansen.

Gemma speaks English and Spanish.

Recommendations

"Gemma is a rising star. She regularly "bats above her call" in complex and high-value clinical negligence claims. She understands the needs of instructing solicitors well and is always on hand to provide invaluable advice when needed. Gemma is a fantastic advocate and has an excellent understanding of complex medical issues that often arise in clinical negligence claims. She has exceptional legal and procedural knowledge that she deploys to benefit her clients."

"Gemma Ralph has detailed knowledge of liability and quantum issues, and offers realistic, commercially informed advice."

Legal 500 2027/Clinical Negligence/Western Circuit

Gemma Ralph is adept at acting for defendants and claimants in a wide range of clinical negligence matters, including delayed or missed diagnoses and negligent treatment.
'A steadfast junior who is analytical and precise.'
Legal 500 2026/Clinical Negligence/Leading Juniors/Western Circuit

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

Expertise

Clinical Negligence

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

She is listed as a Leading Junior in Clinical Negligence in Legal 500 2027.

Gemma's experience includes brain injuries, spinal injuries, amputation, chronic pain, fatal accidents, optical, dental, 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.
- **G v an NHS Trust** - advised family on expert evidence and quantum in relation to a claim for negligent delay in treatment of ischaemic diabetic foot ulcer leading to amputation of all toes on foot, frailty, falls and fracture of neck of femur.
- **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).
- **A 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.
- **S v a Medical Practice** - advised Claimant on expert evidence and quantum in relation to a claim for negligent uterine perforation during insertion of mirena coil, leading to laparoscopy and sterilisation.
- **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.
- **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-ooperectomy and total abdominal hysterectomy and developed post-operative sepsis.
- **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-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.
- **L v a University Health Board** - advised Claimant on expert evidence and quantum in relation to a claim for retroperitoneal perforation during negligent endoscopic retrograde cholangiopancreatography (ERCP), leading to extensive unnecessary treatment (multiple percutaneous drainage procedures for retroperitoneal collections, under CT

guidance), prolonged recovery, lifelong medication and loss of stamina. Drafted Particulars of Claim.

- **D v an NHS Trust** - advised Claimant in relation to a claim for negligent failure to identify GIST (PAWS GIST - Paediatric, Adolescent, Wild-type & Syndromic Gastrointestinal Stromal Tumour) during gastroscopy procedure leading to a delay in diagnosis, unnecessary bariatric surgery, removal of part of stomach, stay in High Dependency Unit and early retirement.
- **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 Claimant. 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 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.

Commercial

Gemma Ralph represents clients in claims for breach of contract, rental arrears, possession and forfeiture of property.

Examples of recent cases include:

- **H v H and H (High Court)** - Secured freezing order against family members where real risk of international dissipation of a Quistclose trust in the sum of £250,000.00 intended for the purchase of property.
- **C v G** - Represented Defendant in claim for breach of contract (loan agreement) and separate claim for breach of contract by Executor. Claim dismissed.
- **A v X Ltd** - Represented Defendant dental company in claim for breach of contract under the Consumer Rights Act 2015. Issues included Seller's indemnity to Buyer of company.
- **FA Ltd v BR Ltd** - Represented Claimant. Secured damages for breach of contract (equipment repair).
- **RS Ltd v AS** - Represented Claimant. Secured forfeiture order for non-payment of service charge.
- **V v S** - Represented Applicant (living overseas) in a case dealing with breach of undertakings relating to an injunction over land subject to an adverse possession application, subsequently replaced by an application to alter the register.

Property and Estates

Gemma Ralph represents clients in claims for breach of contract, rental arrears, possession and forfeiture of property.

Examples of recent cases include:

- **H v H and H (High Court)** - Secured freezing order against family members where real risk of international dissipation of a Quistclose trust in the sum of £250,000.00 intended for the purchase of property.
- **RS Ltd v AS** - Represented Claimant. Secured forfeiture order for non-payment of service charge.
- **V v S** - Represented Applicant (living overseas) in a case dealing with breach of undertakings relating to an injunction over land subject to an adverse possession application, subsequently replaced by an application to alter the register.
- **W v X** - Advised Claimant in damages claim following criminal proceedings for serious assault where enforcement included charging order to secure debt against land.

Public and Administrative Law

Gemma Ralph 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.

Gemma recently represented the Secretary of State for the Home Office in the Upper Tribunal (Immigration and Asylum Chamber) Country Guidance case **LR (Male VOTs) (CG)** [2026] UKUT 00315 (IAC) concerning Albanian trafficked boys and men, led by William Hansen. She has also been instructed by GLD in several Afghan Resettlement claims. In addition, she has advised the Secretary of State for Justice on cases including a discrimination claim by a transgender prisoner and an historical sexual abuse claim with an international dimension.

Personal Injury

Gemma Ralph is frequently instructed in high-value, complex personal injury cases for both Claimants and Defendants. Gemma has experience of a broad spectrum of cases, including:

- Animals Act claims

- Criminal Injuries Compensation Authority (CICA) claims and CICA appeals
- Cross-border/international accidents including Athens Convention
- Employers' liability
- Fatal accident claims
- Fraud/fundamental dishonesty
- Highways Act claims
- Noise induced hearing loss and disease claims
- Occupiers' liability
- Product liability
- Public liability
- RTA litigation including all aspects of credit hire and fundamental dishonesty
- Trips and slips
- Secondary victim cases
- Sexual offences and abuse claims
- Sports claims

Gemma has a particular interest in international claims and has been instructed on both accidents abroad and accidents in the UK involving international parties and is asked to advise on cases in Jersey.

Gemma is adept at handling sensitive procedural and factual matters. She has advised the Secretary of State for Justice on cases including a discrimination claim by a transgender prisoner and an historical sexual abuse claim with an international dimension. Gemma also appeared for a high street retailer defending a product liability claim against a Claimant who had a general civil restraint order issued by the Royal Courts of Justice to stop them from bringing certain cases to court.

Examples of recent cases include:

- **J v R** - Acting as junior counsel, led by senior counsel, for Claimant who suffered serious spinal injury following fall from indoor play equipment at trampoline and adventure park.
- **E v I** - Advised Claimant who suffered unstable fracture to back resulting in chronic pain, kyphosis, foot drop and risk of syringomyelia. Drafted particulars of claim and schedule of damages and advised on quantum, including provisional damages. Advised on applicability of Athens Convention.
- **G v C (Admiralty Court)** - Advised on liability, quantum and offers and drafted particulars of claim for a Claimant with limited mobility who was knocked to the floor whilst using rollator on a cruise ship in Spanish waters. Advised on applicability of Athens Convention.
- **B v H** - Advised family on quantum in fatal accident claim where the Deceased, a pedestrian, suffered life-changing injuries including amputation of leg and ultimately died of covid-19 after being struck by a speeding car.
- **S v MOJ** - Advised Claimant, a female prisoner, in claim for unlawful use of force by a prison officer, leading to injuries requiring popliteal artery bypass and including foot drop with long term risk of leg amputation.
- **F v M** - Advised Claimant on quantum and offers in relation to a claim for polytrauma injuries sustained in a severe RTA.
- **D v A** - Represented Claimant who suffered severe physical and psychological injuries following RTA with international lorry.
- **B v M** - Represented Claimant who suffered permanent tinnitus, symptoms of deafness and PTSD following RTA.
- **H v M** - Represented Defendant including drafting Part 35 questions to an Expert about a diagnosis of tinnitus.
- **V v a Police Commissioner** - Instructed by Claimant, a pedestrian, who was struck by a car following a collision between a car and a police car. Drafted particulars of claim and schedule of damages.
- **B v a Government Department** - Advised Claimant on quantum having been struck in eye by part of an airbag deployed

during training at a fire station.

- **W v Y and Y** - Instructed by Claimant in civil claim following criminal proceedings for serious assault.
- **L v an Insurance Company** - Represented Defendant at trial, succeeded in striking out the Claimant's claim valued in excess of £30,000.00 due to late service of expert evidence and medical records.
- **L v a Tennis Club** - Advised Claimant on liability and evidence following slip during tennis tournament.
- **M v Lawn Tennis Association** - Advised Claimant following slip during tennis tournament.
- **M v a Water Sports Provider** - Advised Claimant on liability and merits in personal injury claim for negligent water sports (paddleboard) instruction.
- **K v M** - Advised Claimant about liability and merits in personal injury claim for negligent hairdressing leading to burnt scalp and loss of hair.

Fraudulent Insurance Claims

Gemma Ralph represents Claimants and Defendants at trials involving allegations of fraud and fundamental dishonesty. She is thorough and robust in cross examination.

Examples of recent cases include:

- **M v L** - Represented Claimant. Secured award for whiplash. Successfully defended against a finding of fundamental dishonesty, the pleading of which was based on social media intelligence of extreme sports during prognosis period.
- **L v C** - Represented Defendant. Secured finding of fundamental dishonesty and an enforceable costs order against a professional person.
- **R v A** - Represented Defendant. Successfully defended a £20,000.00 claim for tinnitus.
- **C&C v K** - Represented Defendant. Following trial, successfully applied to re-allocate multi-track case of multiple Claimants to the fast-track, significantly limiting costs.
- **S v a Holiday Company** - Advised Claimant on quantum and offers in relation to a claim for severe damage to front teeth requiring future treatment for life.

Articles

Gemma Ralph looks at The Court of Appeal decision in R (Peiris) v First-tier Tribunal, CICA & Secretary of State for Justice [2023] EWCA Civ 1527, an Article 14 ECHR discrimination claim.

View Article