



# Gemma Ralph

**Year of Call:** 2016

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## Overview

Gemma Ralph is a civil practitioner. She specialises in personal injury and clinical negligence matters and has a particular interest in international and commercial law. She has a busy court practice, regularly appearing in trials and has appeared in a wide range of interim applications and CMCs.

Before coming to the Bar, Gemma spent ten years in Her Majesty's Diplomatic Service where she served overseas and, more recently, as the Foreign and Commonwealth Office's Legal Researcher. Gemma also spent two years working as the Business Manager to the CEO of Coutts Bank. Given her experience, she is especially interested in international litigation and commercial disputes and is very happy to travel in the UK or abroad on instruction.

Gemma speaks Spanish and is learning French.

## Academic qualifications

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

## Scholarships

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

## Professional bodies

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

# Expertise

## Personal Injury

Gemma Ralph has a busy personal injury practice. She advises and represents Claimants and Defendants in fast-track trials and multi-track matters and has experience of:

- Employers' liability
- Occupiers' liability
- Public liability
- RTA litigation including all aspects of credit hire
- Trips and slips
- Defective products
- Athens Convention (cruise ship) claims
- Sexual offences
- Criminal Injuries Compensation Authority claims

Gemma has a particular interest in international personal injury claims and has been instructed on both accidents abroad and accidents in the UK involving international parties. She has recently advised the Secretary of State for Justice on an historical sexual abuse claim with an international dimension.

Gemma is adept at handling sensitive procedural and factual matters. She recently advised the Secretary of State for Justice on a discrimination claim by a transgender prisoner. Gemma also appeared for a high street retailer defending a product liability claim by 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.

## 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 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.

## Clinical Negligence

Gemma Ralph has begun to receive instructions to advise in clinical negligence claims. She has experience acting for Claimants and NHS Trusts and is keen to develop her practise in this field.

### Examples of recent cases include:

- **B v an NHS Trust** - Advised Claimant on merits and on expert evidence in relation to a claim for myocardial infarction

following treatment.

- **W v an NHS Trust** - Advised Claimant on quantum and drafted schedule of damages in fatal accident claim.
- **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.

## Public and Regulatory

Gemma Ralph is a member of the Attorney General's Junior Junior Panel. She has twice been DV vetted and is keen to undertake all types of government legal work, and is particularly interested in work with an international element. Gemma has worked with most government departments including GLD and maintains a strong network of contacts.

## Commercial

Gemma Ralph has acted in a number of junior commercial matters including claims for breach of contract, rental arrears and possession of property.

### Examples of recent cases include:

- **C v G** - Represented Defendant in claim for breach of contract (loan agreement) and separate claim for breach of contract by Executor. Claim dismissed.
- **FA Ltd v BR Ltd** - Represented Claimant. Secured damages for breach of contract (equipment repair).