



Linda Jacobs

Year of Call: 2000

Call Clerk on 020 7827 4000

HIGHLIGHTS

Former Sister in Intensive care at one of London's leading teaching hospitals. "An experienced advocate, well respected by peers for her extensive capabilities in the fields of clinical negligence and personal injury," "Careful and measured in the advice she gives." **Chambers and Partners 2018**

PRACTICE AREAS

Clinical Negligence | Personal Injury | Regulatory

OVERVIEW

Linda Jacobs specialises in clinical negligence, personal injury, general healthcare law (particularly inquests and CICA Appeals), and regulatory work (particularly GMC and NMC). Linda is actively seeking instructions to develop

her inquest practice to include deaths in detention, and further regulatory work.

“Linda is an experienced advocate well respected by peers for her extensive capabilities in the fields of clinical negligence and personal injury.” - Chambers and Partners 2018, where she is also recommended as a leading junior in clinical negligence. Linda is also ranked as a leading junior for both clinical negligence and inquests/inquiries by the Legal 500.

Prior to being called to the Bar, Linda was a Sister in Intensive Care in one of London's leading teaching hospitals. Her specialist medical knowledge and experience means that she is comfortable dealing with complex medical facts and issues, expert evidence, and quantum issues. She is also extremely familiar with the daily operation of a busy hospital and multidisciplinary teams in the clinical environment.

Linda has extensive advisory and advocacy experience in a comprehensive range of clinical negligence claims. She is increasingly instructed as sole counsel in catastrophic injury claims that are legally and/or medically complex. Cases include birth injuries; spinal injuries; neurological injuries, severe limb injuries; delay in cancer diagnosis; failure to obtain consent, including a successful claim for aggravated damages; joint replacement surgery; renal/urological injuries; nursing negligence (including pressure sores); dental negligence; chronic pain; psychiatric negligence; secondary victim, and fatal accidents.

On a pro bono basis, Linda represented the father of an 11-year-old boy in an application by the hospital to withdraw life-sustaining treatment. Linda was able to effectively utilise her hospital experience of withdrawing life-sustaining treatment and early Bar practice in the Family Division to effect, with Mr Justice Brody stating “Miss Jacobs has said everything that could have been said, and has put the father's case very well”.

Linda's personal injury experience includes employer's liability; occupational illness and disease; road traffic and highway accidents; product liability; dangerous animal claims; secondary victim, and fatal accidents.

Linda is an experienced advisor and litigator on quantum and procedural issues. She is familiar with issues of life expectancy and accommodation claims

following the negative discount rate, and is extremely able in drafting complex Schedules of Loss as Excel workbooks. Following written submissions by Linda, the Judicial College Guidelines for the Assessment of General Damages in PI Cases (14th edition) now includes specific guidelines for orchidectomy. Linda has Court experience of interlocutory hearings and updating cost budgets.

Linda is a highly-regarded expert in hospital, healthcare and workplace inquests. She has practical experience of an inquest jury and appellate advisory work following inquests. She represented the parents at the Inquest Touching the Death of Jack Adcock. This led to the conviction for gross negligence manslaughter and striking-off from their respective professional registers of Dr Bawa-Garba and Nurse Amaro.

REFERENCES

Chambers and Partners 2018: "An experienced advocate, well respected by peers for her extensive capabilities in the fields of clinical negligence and personal injury," "Careful and measured in the advice she gives."

Legal 500 2017: "A robust and persuasive advocate."

Legal 500 2016: "Excellent attention to detail and a strong ability to make the most of a client's claim."

APPOINTMENTS AND MEMBERSHIPS

AvMA Lawyers' Group Personal Injuries Bar Association Association of Personal Injuries Lawyers Professional Negligence Bar Association Inquest Former member of the editorial committee of the AvMA Medical and Legal Journal Former member of the Chartered Institute of Management Accountants' Disciplinary Conduct Committee for 5 years and a member of the Appeals Committee for 2 years

PUBLICATIONS AND TRAINING

- Contributor to Lewis and Buchan: Clinical Negligence: A Practical Guide 7th edition [chapters on Inquests, and Low Value Clinical Negligence Claims in Wales]
- Dissertation: A Comparative Study between the Jurisdictions of England and Wales and the State of Victoria Australia of Death Investigation by the Coronial Service and Death Certification [Awarded a Distinction]
- Chaired AvMA's conference Essential Medicine for Lawyers: 2014
- Delivered an AvMA London LSG Lecture on Inquests: 2013
- Personal Injury Law Journal [January 2015]: Multiple Defendants: The Law
- Solicitors Journal [May 2010]: Clunk, no Click Analysis of the Court of Appeal decision in Stanton v Collinson [2010] EWCA Civ 81
- Cloisters Seminar Series: Multiple Defendants [2014], and Update on Clinical Negligence [2011]
- Lectures for Solicitors: including 2018: Update on PI Law and Procedure; 2016: The Effectiveness of the Inquest in Exploring Clinical Negligence Claims; 2015: Update on the Civil Procedure Rules; 2014: Multiple Defendants and Intervening Acts, and 2013: Clinical Negligence Update: Breach of Duty and Causation

QUALIFICATIONS

LLM (Distinction) in Legal Aspects of Medical Practice

LLM (Merit, London)

BSc (First Class) Hons

Dip Law (Lond)

Dip Nursing (Lond)

BVC (Very Competent)

Linda is a Pupil Supervisor

1999-2000 Harmsworth Scholar, Middle Temple

HIGHLIGHT CASES

CLINICAL NEGLIGENCE

- F v (1) NHS Trust and (2) GP [2018 & ongoing]: Spinal Injury claim for delayed diagnosis of cord compression against hospital and GP resulting in paraplegia. The hospital admitted liability immediately prior to the exchange of expert evidence. Quantum investigations ongoing.
- MEF (Protected Party) v St Georges' Healthcare NHS Trust [2017 & ongoing]: Birthing injury resulting in brain injury. Liability compromised at a JSM, and quantum investigations are ongoing. Junior to Patricia Hitchcock QC.
- Salter and Salter (Representing Michael Salter, deceased) v Northampton General Hospital NHS Trust [2017]: Failure to surgically explore an ischemic limb following repair of an abdominal aortic aneurysm. The deceased suffered multiple complications, including leg amputation, renal failure, pressure sores and depression. Liability disputed, and the defendant accepted (out of time) the claimant's Part 36 Offer with cost consequences. Advise on referral to the GMC.
- AN NHS TRUST Applicant- and -W (Father) and W (Mother) Respondents- and -X (a Child, by his Children's Guardian) [2015 Case Number: No. FD15P000456]: withdrawal of life-sustaining treatment of an 11-year-old boy suffering a sudden catastrophic viral illness that compromised his cardiac function leading to multi-organ failure. Represented the boy's father via the Bar Pro Bono Unit.
http://www.cloisters.com/images/FD15P000456_approved_judgment_2_Oct_15.pdf
- Mrs Carolyn King (Widow) on behalf of herself and as the Administratrix of the Estate of Mr David King (deceased) v Northampton General Hospital NHS Trust [2015]: Claim for a failure to diagnose and treat a pulmonary embolism of a man in his 50's; liability and quantum were in dispute. Won at trial, beating own Part 36 Offer. The judge awarded additional liabilities, indemnity costs and interest. Awards included Williamson v Regan awards for two adult children and contribution towards future wedding costs.

- R (Protected Party via The Official Solicitor) v The Secretary of State [2014 & ongoing]: Negligent management of meningitis in a 6-month infant resulting in severe cognitive and behavioural problems. Liability compromised at a JSM, and quantum investigations are ongoing. Junior to Patricia Hitchcock QC.

PERSONAL INJURY

- Gains-Smith as the Personal Representative of Smith (deceased) v (1) A Life Crane Hire Ltd and (2) Premier Roofing Systems Ltd [2017]: Claim for a fatal fall at work from a roof against the employer and hirer, including contribution and indemnity proceedings. The employer sought to amend its defence to include allegations of contributory negligence following judgement being entered. The claimant was granted permission to appeal the decision of the QB Master permitting the amendment. The hirer denied liability. The claim was compromised against both defendants by negotiation prior to the appeal hearing.
- Price v Alexandra Palace Trading Limited [2017]: Liability only trial won by the claimant for a slipping accident at D's ice-skating rink resulting in a severe wrist fracture. Quantum investigations ongoing.
- S v Wright [2017]: RTA resulting in acquired brain injury and capacity issues. Liability admitted, and settled at a JSM.
- Gorog v Reynolds [2014]: RTA resulting in amputation of fingers of a Hungarian student undertaking vacation work in the UK. Required prosthetics for life. The claim was advanced in the Schedule of Loss on four alternative working scenarios, depending upon the career path followed and whether the claimant would work in the UK or internationally.

INQUESTS

- Bainbridge v CICA [2017 & ongoing]: Represented the applicant at an appeal hearing regarding the refusal to re-open a claim for compensation for an assault that resulted in facial disfigurement, blindness in one eye and depression. Instructed by the Bar Pro Bono Unit.
- Inquest Touching the Death of Ben Wylie [2016]: Represented the family of

the deceased who died aged 24 as a result of a construction site accident (a grease nipple on a piling rig machine detached at high speed and grease under high pressure was expelled penetrating his chest wall causing fatal injuries). The jury concluded that death was due to misadventure. There were seven interested parties and all other advocates argued for a conclusion of accidental death. A Report to Prevent Future Fatalities resulted in HSE Safety Alerts and industry-wide Safety Alerts being issued into track tensioning and training on piling rigs. Seven day inquest on a pro bono basis.

- Inquest Touching the Death of Jack Adcock [2014]: Represented the family at the inquest that was adjourned after 5 days during expert evidence at the request of the Police. The case was reinvestigated by the Crown Prosecution Service, resulting in the conviction for gross negligence manslaughter of Dr Bawa-Garba and Nurse Amaro. They were subsequently struck off their respective professional registers. Rule 43 Report made in relation to doctors returning from a leave of absence. Successful clinical negligence claim.
- Jones v Dr's Pinnock and Jackson (GP's) [2014]: Inquest and clinical negligence claim for the mismanagement of a patient with Addison's disease. The conclusion of the Coroner was that death was contributed to by neglect. Rule 43 Report made in relation to the way GP's retrieve clinical information.

REGULATORY

- F v GMC [2011]: Represented the Registrant at a five day GMC hearing.
 - J v Nursing and Midwifery Council [2010]: Represented the Registrant before an Investigate Committee Interim Order Hearing. The Committee decided not to impose any Interim Orders including a Suspension Order.
- Former junior standing counsel to the British Psychological Society (prosecuting counsel).