



Claire Toogood



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"Very authoritative." "Careful and considered. She has a lovely way with experts and lay witnesses. Her advice is always sound."
(Chambers & Partners UK Bar 2019)



Claire Toogood specialises in clinical negligence and product liability.

Claire combines a friendly and approachable manner with a sharp eye for detail and a comprehensive understanding of her cases. She is a strong advocate in court, incisive in cross-examination and persuasive with judges. She is also regularly instructed for joint settlement meetings where her negotiation skills obtain the best possible outcome for her clients. Her specialist practice arose out of her continued fascination for all medically-related matters and she draws frequent praise from experts for her grasp of complex areas of medicine. She enjoys working as a team with her solicitors and clients and is always happy to discuss issues as they arise.

Clinical Negligence

Claire is predominantly instructed by the NHSLA but also acts for Claimants and the defence unions. Her wide experience includes claims involving obstetrics, orthopaedics, oncology, gynaecology, paediatrics, neurology, urology, diabetes and general surgery. Claire is frequently instructed to attend joint settlement meetings and has a reputation for negotiating satisfactory outcomes, but is unafraid to pursue a case to trial when necessary. The directories highlight Claire's strong advocacy skills.

Selected Cases

- TB v Bedford Hospital NHS Trust [2019] EWHC 2704– Claire, instructed by Kennedys, successfully defended the Defendant Trust in a High Court trial in which the Claimant alleged a stroke causing serious disability would have been avoided but for D's erroneous diagnosis. HHJ Deborah Taylor found that the Claimant would not have been compliant with her medication and lifestyle advice and in any event the Claimant had not proved that these factors would have avoided the stroke.
- CXB v North West Anglia NHS Foundation Trust [2019] EWHC 2053 – HHJ Gore QC (sitting as a High Court judge) dismissed a claim for damages for cerebral palsy, finding that the evidence of the Claimant's witnesses was inconsistent and unreliable. Claire acted for the Defendant Trust, instructed by Kennedys.



- Corke v Princess Alexandra Hospital NHS Trust [2019] EWHC 487 – Claire successfully defended the Trust in relation to failed surgery to fix a hip fracture, resulting in a hindquarter amputation. The surgeon had acted reasonably in using a dynamic hip screw as he considered that he could not have successfully inserted an intramedullary nail. Claire was instructed by Hill Dickinson.
- Jabang v Wadman and others [2017] EWHC 1894 – Claire was instructed by Clyde and Co on behalf of the MPS, successfully defended a rheumatologist who had allegedly caused a delay in diagnosis of spinal tuberculosis. Nicol J found that the rheumatologist had acted reasonably in deferring an MRI scan to a follow up appointment, which the Claimant chose not to attend. The claim was heard on the issue of liability alone, but the Claimant valued his claim in the region of £12 million.

Product Liability

Claire specialises in product liability claims involving pharmaceutical and medical products. She has been involved in numerous cases including cases involving metal-on-metal hip prostheses, breast implants and radiocontrast agents. She is instructed by major pharmaceutical companies as well as the NHS and medical defence organisations.

Qualifications

- Inns of Court School of Law (Very Competent) (1994 – 1995)
- Queen Mother's Fund Scholarship, Middle Temple (1994)
- MA (Hons) in Jurisprudence, Oriel College, Oxford (1991 – 1994)

Memberships

- London Common Law & Commercial Bar Association
- Personal Injury Bar Association
- Professional Negligence Bar Association

Recommendations

"Claire is a go-to junior, fierce when she needs to be, collaborative in her style and she always delivers. Exceptional people skills ensure that this barrister gets the very best from clients, witnesses, experts and judges."

Legal 500, 2021

"A delightful barrister who is a pleasure to work with. Her analytical and compassionate approach to cases is appreciated by instructing solicitors and clients alike. Her friendly manner does not in any way detract from her ability to forcefully and convincingly put forward her client's case in court."

Chambers & Partners, 2020

"Her drafting is second-to-none and she has a complete grasp of medical evidence."

Legal 500, 2020



"Very authoritative." "Careful and considered. She has a lovely way with experts and lay witnesses. Her advice is always sound."

Chambers & Partners, 2019

"Calm, measured and effective."

Chambers & Partners, 2018

"Her advocacy is second to none."

Chambers & Partners, 2018

"Her advice is clear and pragmatic and she is an excellent advocate. She is well liked by our clients". "Claire is a fantastic advocate. She's brilliant at handling any detail you give her and she's always approachable".

Chambers & Partners, 2016

"She is tenacious, and will work herself to the bone to get a result"

Legal 500, 2016

"She's very assured, very robust and doesn't take any prisoners. At the same time she's very good with clients and sensitive to their concerns"

Chambers & Partners, 2015

"She is fantastic as she is proactive and very responsive. She is always available to provide practical and logical advice, and has formidable knowledge of her cases. She is also very good on her feet in terms of both applications and advocacy, and relates well to the client."

Chambers & Partners, 2014

"one of the most client-focused barristers, who deals with issues swiftly, concisely and always with a smile"

Legal 500, 2015

"absolutely awesome in and out of court"

Legal 500, 2015