

## Sarah Christie-Brown

**Call year: 1994**

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Sarah specialises in clinical negligence, having acted for both Claimants and Defendants in a wide range of clinical specialisms, and professional negligence (in particular solicitors').

Sarah also specialises in disciplinary work, appearing frequently before all committees of the Nursing and Midwifery Council, and is regularly instructed by the Royal College of Nursing. Her practice also includes general personal injury, Criminal Injuries Compensation cases and general contract. Sarah is an accredited Mediator (trained through ADR Chambers).



## Practice Profile

Sarah specialises in clinical negligence/medical law, disciplinary work and professional negligence (in particular solicitors').

### Medical Law

Sarah has dealt with a wide range of clinical negligence cases, acting for both Claimants and Defendants in relation to a variety of clinical specialisms. Her cases have included high-value claims involving brain-injury at birth, missed diagnoses, negligent orthopaedic treatment, negligent caesarean delivery, negligent hand surgery, lack of informed consent, negligent treatment by an optician and negligent orthodontics.

Sarah was led by David Pittaway QC in 2006 in the case of *Nicholson v Health and Social Services Committee of the States of Jersey* (an appeal to the Privy Council), a case involving brain injury at birth.

Sarah was also led by David Pittaway QC in the Kingsway Hospital, Derby, Inquest in 2005. This was an inquiry into the deaths of 11 elderly patients.

As junior counsel, Sarah also acted pro bono for the family of the deceased in a case involving complex scientific arguments concerning causation of mesothelioma where the family successfully sought to establish that the deceased had suffered mesothelioma as a result of industrial rather than environmental exposure.

### Regulatory & Disciplinary

Sarah appears frequently before all committees of the Nursing and Midwifery Council. She is regularly instructed by the Royal College of Nursing and has advised and acted for respondents in over 50 NMC cases involving nurses, independent midwives and health visitors. Earlier this year she fought a successful appeal in the High Court against a decision of the Conduct and Competence Committee of the NMC (*Uma James v NMC*, Admin. Court, 11<sup>th</sup> February, 2008). Over the last couple of years she has represented, among others:

- an independent midwife accused of misconduct in relation to the birth of a baby in her absence
- a nurse with a conviction for possession of criminal property
- a nurse accused of errors in administration of medication within a neonatal unit
- a nurse convicted of downloading child pornography from the internet, in which the Committee agreed that the hearing should be held in private
- a health visitor accused of misconduct in relation to the management of her caseload

### Professional Negligence

Sarah's practice has covered the liability of a variety of professionals including solicitors, surveyors, architects and a Health and

Safety adviser.

Cases have involved:

Advising a firm of solicitors in respect of alleged negligence in the conveyancing of a property, in particular failure properly to investigate title

Striking out a claim for alleged negligence by a solicitor in drawing up a declaration of trust between joint purchasers

Representing the Claimant in an action for fees in which professional negligence was counterclaimed

Defending a Health & Safety advisor against allegations that he had failed to recommend appropriate guarding for a piece of machinery on which an employee was subsequently injured

Acting for solicitors in a case arising out of a complex clinical negligence claim for negligent radiotherapy

### **Personal Injury**

Sarah has wide experience of acting in personal injury cases, for both Claimants and Defendants. Cases have involved accidents in supermarkets, on public highways and in the course of employment (including, in particular, back injuries sustained by nurses). She has also prepared and acted in appeals in respect of Compensation Recovery Unit Certificates.

### **Mediation**

Sarah is an accredited mediator.

## **Further Information**

**Year of call:** 1994

**Specialist areas:** clinical negligence, disciplinary matters (in particular before the Nursing and Midwifery Council) and professional negligence (mainly solicitors')

**Education:** BA Hons Oxon English Lang and Literature; Dip Art history; Diploma in Law; 1994 Harmsworth Scholar, Middle Temple

**ADR:** Accredited mediator

**Committees:** Member of the Professional negligence Bar Association; Member of the Association for Regulatory and Disciplinary Lawyers

## **Recent cases**

She successfully represented the appellant in the case of *Uma James v The Nursing and Midwifery Council*, Admin. Court (11<sup>th</sup> February, 2008). This was an appeal based on lack of/ inadequacy of reasons.

## **Publications and lectures**

### **Recent publications and lectures:**

18<sup>th</sup> April, 2007: Addressed the Royal College of Nursing Congress on the subject of Protection of Children Act ("POCA") listing and Protection of Vulnerable Adults ("POVA") listing.

11<sup>th</sup> October, 2006: Spoke at the Homerton Hospital 10<sup>th</sup> Annual Conference on Brain Injury Rehabilitation on the subject of the "Mental Capacity Act 2005".

### **Other publications and lectures of note:**

Lecture to solicitors : clinical negligence update, July 2002

2 seminars with different groups of solicitors: Psychiatric Damage

Talk at CLT Accidents at Work Conference, September 2001: Recent Decisions on Damages

Seminar with group of solicitors on Credit Hire Agreements in the aftermath of *Dimond v Lovell*

Seminar with group of nurses in Dundee: Focussing on prescription practice, including protocols, and consent of children to treatment

Contributor to the video 'Civil Litigation Update (814)' produced by Legal Network Television, August 2001

## **Personal info**

Sarah is interested in a wide range of music, particularly classical, and regularly sings with the Holst Singers, conducted by Stephen Layton. She also has a particular interest in Art History which gave her the excuse to live in Venice for a year. She enjoys languages and speaks some French and Italian.

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