hailshamchambers

Clerks: **020 7643 5000**

Bramble Badenach-Nicolson

Call: 2019



Overview

Bramble accepts instructions in all areas of Chambers' practice, with a particular emphasis on clinical negligence, medical disciplinary law, inquests and general professional negligence.

She is recognised as Up and Coming for Clinical Negligence by Chambers UK and as a Rising Star for Clinical Negligence and Inquests and Inquiries by The Legal 500. Bramble is noted in the directories as 'an extremely bright and talented barrister, who is also approachable and easy to work with.'

Bramble also acts in commercial matters, including general property contractual disputes and banking litigation. She also has particular expertise in public inquiry work, having been instructed as a baby junior on the Attorney General's Panel in the Grenfell Tower Inquiry and the Infected Blood Inquiry.

Bramble regularly appears as sole counsel in the County Court, High Court, Coroners' Court, and before disciplinary tribunals. Her cases include fast track and multi track trials and contested applications where she appears for claimants and defendants alike.

Bramble is committed to pro bono representation. She takes on cases at Advocate and has advised in professional negligence and regulatory matters. Bramble also volunteers on the AvMA helpline and serves on the AvMA pro bono inquest panel.

Clinical Negligence

Bramble undertakes a wide range of clinical negligence work and accepts instructions from both claimants and defendants.

Recent instructions have included:

- advising and drafting in various claims alleging negligent dental treatment in prison;
- drafting in a maxillofacial claim relating to the misdiagnosis of a fracture;
- advising on quantum in stillbirth claims;
- representing the family at the inquest and advising and drafting in a fatal claim involving delayed diagnosis of a blocked VP shunt;
- representing Claimants and Defendants at CCMCs in matters of varying degrees of complexity and value.

Bramble enjoys volunteering on the AvMA helpline where she advises members of the public enquiring about potential claims relating to their own medical treatment or that of a close family member.

Bramble's inquest practice (see below) means she is highly experienced in managing families' and clinicians' expectations in what are usually highly fraught circumstances.

Inquests

Bramble has extensive experience in coronial law, representing families and other Interested Persons as part of her regular practice and having undertaken part-time sessional work in the London Inner South Coroner's Office in 2021, which involved researching areas of the law for the Senior Coroner, reviewing directions and contacting Interested Persons in advance of PIRHs and inquests.

Recent instructions have included:

- representing the family of a woman at a week-long inquest and securing a rider of neglect in circumstances where there were gross failings in her hysterectomy aftercare
- representing the family of a three-year-old girl with Trisomy 21 who died as a result of complications in her treatment for acute lymphoblastic leukaemia; the Coroner returned a conclusion of natural causes with a rider of neglect, to reflect the hospital's failures in caring for the child (instructions via AvMA pro bono panel);
- acting for an Advanced Nurse Practitioner who had advised the deceased in a telephone consultation during the pandemic about a head injury which subsequently led to his death;
- representing a transport company at the inquest touching the death of a young man who had been killed in a fatal collision whilst riding his motorcycle;
- advising and representing the family of a young person who took their own life as a result of mental health complications.

Personal Injury

Bramble is experienced in RTA personal injury claims, having been instructed on behalf of claimants and defendants in numerous RTA fast track matters.

She also regularly advises on merits and quantum in claims arising out of accidents at work and public liability claims. These cases often involve advising on the law of vicarious liability in which Bramble is well-versed. Recent instructions have included advising employer NHS Trusts in 'slip and trip' matters and in relation to allegations of unsafe conditions where a Claimant suffered serious injury as a result of faulty kitchen equipment.

Regulatory and disciplinary

Bramble has a particular interest in regulatory and disciplinary work relating to the medical professions, as well as the legal professions.

In 2022, Bramble concluded a four-month secondment with the Professional Regulatory Sector at Capsticks LLP, working as part of a small team investigating Social Work England cases.

She now accepts instructions in all disciplinary matters with a particular focus on healthcare (GMC, GDC, GOC, GOsC, HCPC and NMC). Recent cases have included:

- Acting for a nurse alleged to be under the influence of non-prescribed benzodiazepines whilst on shift. The Panel imposed a conditions of practice order at the end of a one-week substantive hearing;
- Representing a nurse at an Interim Order Hearing accused of digitally penetrating the vagina of a patient whilst administering a suppository. The Panel imposed an Interim Conditions of Practice order;
- Representing a nurse at an Interim Order Review Hearing who had previously been suspended on account of his alcoholism and subsequent conduct at work. The Panel converted the Interim Suspension Order into an Interim Conditions of Practice Order;
- Advising a nurse facing over 50 allegations of falsifying records and erroneously administering medication;
- Advising an osteopath in relation to a string of serious allegations of sexually motivated misconduct (pro bono);
- Advising a dentist in relation to an appeal against her removal from the NHs Dental Performers List (pro bono).

Professional liability

Bramble has a diverse professional negligence practice, acting for claimants and defendants, together with insurers.

Recent instructions include:

- Appearing for the Claimant in a two-day multi-track solicitors' negligence trial at Plymouth County Court;
- Advising and acting for solicitors in a contractual dispute over work done and payments made;
- Drafting in a claim brought by a prisoner against solicitors for a data breach;
- Advising a claimant on the merits of a claim against a solicitor for allegedly negligent tax advice;
- Drafting on behalf of a planning consultant in a claim brought by a claimant for breach of contract and negligent advice in relation to planning applications;
- Acting for a Claimant insurer in a Fast Track matter which initially related to a claim for breach of contract (failure to make payment) and developed into a counter-claim for negligence and poor workmanship. Bramble secured a positive settlement for the insurer and lay client at the doors of the court.

Bramble is a contributor to Bloomsbury's 'Journal of Professional Negligence', published quarterly.

She also has experience in ATE insurance and currently advises a firm of underwriters as to the merits of claims in a wide range of matters: from medical negligence to property matters to harassment claims.

Commercial

Bramble is developing a broad commercial practice including banking litigation and contract disputes focusing on the Consumer Credit Act 1974.

Recent instructions have included acting for estate agents and a medico-legal expert in breach of contract claims and regularly acting for major retail and commercial banks in the UK and Scotland.

Public Inquiries

Bramble is a Junior Junior on the Attorney General's Panel and has acted for the Government Legal Department in public inquiries, such as the Grenfell Tower Inquiry and the Infected Blood Inquiry, as part of which she was involved in document reviews and the preparation of statements of key Department of Health officials.

Education

BA Modern and Medieval Languages (French and Italian), Class I, University of Cambridge (2013-2017)

Graduate Diploma in Law, Distinction, Oxford Brookes (2017-2018)

Bar Professional Training Course, Outstanding, BPP Law School (2018-2019)

Prizes and scholarships

St Catharine's College Cambridge, Henry Chaytor Scholar

St. Catharine's College Cambridge, Harriet Weaver Prize for Choral Music

Middle Temple Helena Normanton QC Scholarship

Middle Temple Harmsworth Award

BPP BPTC Advocacy Scholarship

Kalisher Essay Competition Winner 2020

Professional appointments and memberships

Accredited Mediator (218 Strand)

Attorney General Junior Junior Panel

AvMA Pro Bono Inquest Panel

Association of Regulatory and Disciplinary Lawyers

Personal Injuries Bar Association

Professional Negligence Bar Association

Professional Negligence Lawyers Association

Further information

Bramble assisted in drafting the Health and Medicine Chapter in the Consumer and Trading Standards: Law and Practice Tenth edition, 2022; this involved researching the regulation of cosmetics, medical devices and medicines in the UK.

ICO Data protection registration number: **ZA761538**.

Bramble Badenach-Nicolson is a barrister regulated by the Bar Standards Board. Click to view Bramble Badenach-Nicolson's Privacy Notice.