

## Catherine Ewins

Call: 1995



### Overview

Catherine acts on behalf of both claimants and defendants in clinical negligence and personal injury litigation. She also deals with solicitors' negligence claims arising out of mismanaged clinical or personal injury litigation. She frequently undertakes high value and complex cases. She appears at Inquests. She also has significant experience of disciplinary tribunal work, defending professionals before their regulatory body.

She is recommended in both legal directories for clinical negligence and is described as "...breathhtakingly clever. Her ability to think on her feet is outstanding" by *Chambers UK, 2022*. According to *Legal 500, 2022* she shows "forensic attention to detail, comprehensive preparation, detailed analysis of medicine and law, dedicated, empathetic, incredibly conscientious, excellent with clients, not afraid to be firm and combative where necessary."

Catherine recently successfully represented a claimant in a trial on liability regarding a failure to give heparin following an arterial occlusion, resulting in a stroke: *Pickering v Cambridge University Hospitals NHS Foundation Trust* [2022] EWHC 1171 (QB).

In 2020 Catherine successfully represented a child in a trial on liability regarding a late diagnosis of meningitis: *SC (a child) v University Hospital Southampton NHS Foundation Trust* [2020] EWCH 1610.

From 2014 to 2017, Catherine was instructed in the Ian Paterson (breast surgeon) litigation. This large scale litigation involved many diverse issues such as whether a private hospital was primarily and vicariously liable for the torts of a surgeon and whether the NHS owed a duty of care to patients in the private sector, or to the private sector hospital itself, to take action where there were indications of malpractice in respect of an employed surgeon.

Catherine prides herself on giving straightforward and to the point advice so that clients have a clear understanding of the strengths and weaknesses of their cases. She always considers it very important

to understand the perspective of each individual client. She remembers that for many clients their case may be the only time they are involved in litigation. Catherine realises the importance of resolving cases in a cost-effective manner for insurers. Having taken on any case, whatever its strengths or weaknesses, Catherine will fight hard to achieve the best possible outcome.

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## Medical law

Catherine undertakes many aspects of clinical negligence work, including claims arising out of:

- Obstetric errors
- Lack of consent/failure to advise as to the risks of surgery
- Failure to diagnose and/or treat properly
- Negligent surgery (including cosmetic surgery)
- Negligent administration of drugs
- Wrongful birth
- Fatal cases and related claims for nervous shock
- Suicides
- Cancer cases
- Strokes
- Cauda equina
- Ophthalmic errors
- Hip replacement surgery errors

Recently concluded cases include:

- *Pickering v Cambridge University Hospitals NHS Foundation Trust* [2022] EWHC 1171 (QB) – successful trial on liability re failure to give heparin resulting in a stroke
- *SC (a child) v University Hospital Southampton NHS Foundation Trust* [2020] EWHC 1610 (QB) – successful trial on liability re late diagnosis of meningitis
- Case arising out of a failure to diagnose a DVT in a young woman leading to post thrombotic syndrome – settled 2022
- Case arising out of a GP failure to refer for investigations resulting in a late diagnosis of bowel cancer – settled 2022
- Case arising out of a premature rupture of the membranes and a delayed delivery of a baby resulting in cerebral palsy – settled liability in 2022
- Case arising out of a failure to refer for investigations of DVT/pulmonary embolism, leading to death – settled 2022
- Case arising out of a failure to diagnose compartment syndrome – settled 2021
- Cases arising out of inappropriate ankle surgery leading to a below-knee amputation – settled 2021
- Case arising out of a failure to treat a hernia, leading to death – settled 2021
- Inquest in 2021 and subsequent settlement in a case arising out of an anaphylactic reaction to drugs given in hospital

- Case arising out of a failure to repair adequately a perineal tear – settled 2021
  - Case arising out of a failure to offer a caesarean section where there was a risk of shoulder dystocia, leading to a child born with cerebral palsy – settled liability in 2021
  - The Ian Paterson litigation- junior counsel to Spire Healthcare Ltd (led by Christina Lambert KC) – settled September 2017
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## **Regulatory and disciplinary**

Catherine has considerable experience of representing nurses before their regulatory body, the Nursing and Midwifery Council, and has appeared at interim hearings, substantive hearings and reviews involving matters of misconduct and incompetence and health issues. She has also appeared before the Health Professions Council.

Catherine has also acted on appeals to the Administrative Court involving questions of fitness to practise and sentence.

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## **Personal injury**

Catherine undertakes all aspects of personal injury work, for both claimants and defendants, including:

- Fatal accidents
- Employers' liability cases
- High value cases involving periodical payments
- Criminal Injuries Compensation Authority claims

Recent cases include:

- Case concerning a man who sustained a serious crush injury to a foot at work - settled
  - Case of an assault by a taxi driver causing severe brain injury - settled
  - Fatal RTA case of a young man who worked for his family's company – complex issues as to the calculation of the dependency – settled
  - Case involving a child who sustained a very serious head injury - ongoing
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## **Professional liability**

### **Lawyers**

Catherine specialises in cases arising out of failed or badly managed clinical negligence or personal injury litigation.

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## What others say

"She is excellent in conference, particularly with vulnerable clients, and her advocacy is exceptional." *Chambers UK, 2024*

"She is ferociously intelligent, thorough, forensic, analytical and well prepared." *Chambers UK, 2024*

"Catherine identifies and grasps the issues quickly and completely. She is thorough and exceptionally detailed in her analysis of a case." *Chambers UK, 2024*

"Catherine is an outstanding barrister. She is intellectually brilliant and her attention to detail is remarkable." *Legal 500, 2024*

"She is empathetic and skilled with clients. She explains legal principles carefully and comprehensively." *Chambers UK, 2023*

"Catherine is outstanding. Her pleadings are meticulous and she is a fantastic advocate." *Chambers UK, 2023*

"Her preparation, advocacy and ability to think on her feet is simply outstanding." *Chambers UK, 2023*

"She is hugely diligent, very responsive and gets to the heart of a problem very quickly." *Chambers UK, 2022*

"Catherine is breathtakingly clever. Her ability to think on her feet is outstanding." *Chambers UK, 2022*

"Forensic attention to detail, comprehensive preparation, detailed analysis of medicine and law, dedicated, empathetic, incredibly conscientious, excellent with clients, not afraid to be firm and combative where necessary." *Legal 500, 2022*

"Shows a determined and unrivalled drive to achieve the best for the client." *Legal 500, 2021*

"Excellent in mediations and very impressive in conference." "She doesn't leave any stone unturned and her eye for detail is tremendous." *Chambers UK, 2021*

"She is always calm and collected and her attention to detail is really fantastic." *Chambers UK, 2020*

"She is a tenacious and formidable force in settlements negotiations" *Legal 500, 2020*

"Really diligent Her forensic eye for detail is second to none" *Chambers UK, 2019*

"Great with clients" *Chambers UK, 2019*

"She has a great eye for detail and is a highly accomplished negotiator" *Legal 500, 2019*

"Clever and fantastic with figures. She is really thorough and efficient. She puts the client at the heart of everything" *Chambers UK, 2018*

“Robust with opponents and approachable with clients” *Legal 500, 2017*

“An excellent grasp of complex medical issues and investigates them thoroughly.” *Legal 500, 2017*

“She is extremely intelligent and has an incredible in-depth understanding of the law whilst remaining attuned to the sensitivities of the client.” *Chambers UK, 2017*

“She’s very clever and her attention to detail is outstanding.” *Chambers UK, 2017*

“Highly intelligent, competent, thorough and accessible.” *Legal 500, 2016*

“Catherine is a tremendous workhorse. She is very good at sifting through a lot of detail and distilling it down into something that can be worked with.” *Chambers UK, 2016*

“She is very easy to get along with. Nothing is too much trouble.” *Chambers UK, 2016*

“She has a good combination of a true eye for detail and an overall tactical awareness.” *Legal 500, 2015*

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## Recent cases

*Pickering v Cambridge University Hospitals NHS Foundation Trust* [2022] EWHC 1171 (QB) – successful trial on liability re failure to give heparin resulting in a stroke

*SC (a child) v University Hospital Southampton NHS Foundation Trust* [2020] EWHC 1610 (QB) – successful trial on liability re late diagnosis of meningitis

*SC (a child) v University Hospital Southampton NHS Foundation Trust* [2020] EWHC 1445 (QB) – re application to adjourn in the light of the pandemic

*Bradbury & others v Paterson and others* [2014] EWHC 3992 (QBD)

*Jalloh v NMC* [2009] EWHC 1697 (Admin) Silber J – appeal regarding fitness to practise of a nurse

*NMC v Livermore* [2005] All ER (D) 127 – appeal from sanction imposed by the NMC

*Chabba v Turbogame* [2001] EWCA Civ 1073 – service of claim form

*Woolgar v Chief Constable of the Sussex Police and the UKCC* [1999] 3 All ER 604 – disclosure of material to a regulatory body

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## Further information

### Education:

- MA (law) Cambridge – King’s College (Hurst Prize for law)
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- Université Libre de Bruxelles (Licence Spéciale en droit Européen),
- Bar Vocational Course (Junior Scholar Gray's Inn, Graham Challis Scholarship, Gray's Inn).

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