

Bella Webb

CALL: 2000

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Overview

Bella Webb is a specialist in clinical negligence, medical regulatory work and personal injury.

Bella has a growing and successful high-value clinical negligence practise, where her empathetic and compassionate approach allows vulnerable and often distressed clients to feel as at ease as possible and to have total confidence in her expertise. Areas of particular interest include delayed cancer diagnosis claims and birth defects.

Her disciplinary practice involves representing practitioners and professional bodies in professional conduct and capability proceedings before the [GMC, HCPC, and NMC](#), and in respect of which her early background in employment law has proved valuable. She has also appeared in cases before the [General Teaching Council](#).

Bella is also regularly instructed by both Claimants and Defendants in personal injury claims. She undertakes high value claims, both as junior counsel and in her own right, including catastrophic injury work and before the Court of Appeal. Her personal injury practise also includes all aspects of personal injury litigation, including road traffic accidents, workplace and public liability claims, industrial/occupational disease, fatal accidents and Criminal Injuries Compensation Authority (CICA) applications.

Bella is often praised by those instructing her for her robust approach to difficult cases, and her personable manner which helps to put anxious clients at ease.

She has a reputation for care, professionalism and detail, without sacrificing the "human" empathy inherent in every case.

She is credited in *The Legal 500* as an advocate who **"inspires confidence in clients"** (2015).

Professional Memberships

- AVMA
- Personal Injury Bar Association

Career and qualifications:

Tenant at Old Square Chambers since 2001-

2000-2001 - 12 month pupillage at Old Square Chambers

12 October 2000 - Admitted to the Bar - Middle Temple. Awarded Queen Mother's Scholarship

1999-2000 - BVC Postgraduate Diploma in Professional Legal Skills Very Competent

1996-1999 - St Catherine's College, MA (June 2005). Jurisprudence BA: 2: 1

1999 - First Year Moderations: 1:1 Awarded highest mark in the university for module 1. Winner of the Slaughter and May prize for inter university, mooting against Robinson College, Cambridge

Publications:

10 May 2007 - CPR Part 36 and Periodical Payments. Commissioned by Pattinson

Expertise

- Insurance
- Retail and Consumer
- Clinical Negligence
- Education & Safeguarding
- Health & Safety & Environmental Law
- Personal Injury
- Professional Regulatory & Discipline
- Public Law
- Sport
- Travel

Recommendations

"She has a brilliant forensic mind and is very thorough, detailed and robust in pleadings. She's also always friendly and responsive." "She's very user-friendly and really works as part of the team." "Her level of preparation is exceptional and she produces very clear and compelling written work. She is very helpful and has a courteous manner, but is tenacious and unflappable in court." Chambers & Partners 2021

"Knowledgeable, professional and courteous to clients." "Extremely hardworking. An outstanding advocate. Fights for her clients with tenacity and vigour. Trusted by tribunals. Gets results." The Legal 500 2021

Key contacts

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and Brewer Solicitors with a view to publication in JPIL

February 2007 – Health and Care Professions Council – Friend or Foe?
Commissioned by Holman, Fenwick and Willan Solicitors and published in
the *British Journal of Podiatry* in March 2007

Interests:

In her spare time, Bella enjoys spending family time with her young daughter, dancing (particularly Ceroc and Latin American) and playing the drums – the very best stress reliever.

Clinical Negligence

Bella represents Claimants and Defendants in a wide range of clinical negligence cases. She has significant and ever-growing knowledge of working with experts and managing multiple experts on individual cases. Her ongoing cases span ophthalmic claims, delayed treatment leading to amputation, and negligently performed cosmetic surgery and treatment during pregnancy, sadly resulting in the loss of a child.

Bella has a particular interest in delayed cancer diagnosis claims, and her compassionate and personable approach is of particular assistance in putting distressed clients and their families at ease.

Bella is also currently advising upon a number of ongoing high-value clinical negligence claims, all of which involve numerous experts from multiple disciplines.

- *S v SUH NHS Trust* (2016 ongoing) – Acting for the Claimant, a financial trader who was prescribed Cabergoline for a pituitary adenoma. He was not warned of the risk of pathological gambling which was recognised but not routinely advised of. He and his wife complained about mood disorder but he claims that concerns were not followed up. The claim includes a claim for financial losses of around £400,000. Breach of duty and causation are in dispute.
- *A v GSHC and CCH NHS Trust* (2014 commencement but ongoing) – Acting for the Claimant. The case concerns a delayed diagnosis of lung cancer. The Claimant's wife died in 2012 as a result of the primary cancer and widespread metastatic disease. D2 has very limited liability which is admitted and settlement has now been reached with them. D1 (the GP) disputes breach of duty and causation. There are real issues surrounding the likely progress of the disease had earlier diagnosis been made. There are GP, respiratory, radiology and oncology experts on both sides.
- *M v UCLH NHS Trust* (2016 ongoing) – Acting for the Claimant. This is an unusual case considering consent and the impact of the Supreme Court judgment in *Montgomery v Lanarkshire*. The Claimant underwent surgery for her epilepsy which was successful. She was not, however, advised of the extent of any visible cosmetic injury to her face and which she claims she asked about specifically. The risks were significant but not routinely advised of (on a Bolam basis). There is also an interesting issue upon causation. The Claimant says that she would probably have had the surgery in any event had she been advised of the risks but would have been prepared for the skull depression that resulted and not developed psychiatric injury as a result of the shock.
- *MB v BH NHS Trust* (2016 and ongoing) – Acting for the Claimant in a fourth degree vaginal tear claim. The case concerns interesting issues relating to consent (on a repeated basis as labour progressed) as well as issues of material contribution / causation. The claim also highlights issues concerning inadequate and inconsistent medical records
- *JU v UHB NHS Trust* (2014 and ongoing) – Acting for the Claimant in a claim for negligent excision of a lump found during surgery for a biopsy, causing damage to recurrent laryngeal nerve and leaving the Claimant with a permanent tracheostomy. Liability has now been admitted but the Claimant has since lost capacity for unrelated reasons, and the claim continues in relation to the extent of causation and quantum.
- *H v. (1) M and (2) TH and others* (2013) – Multi-million pound claim in the High Court for alleged failure to diagnose a footballer with a serious cardiac condition, subsequently leading to cardiac arrest and brain injury.
- *PC v. B* (2013) – A claim for delay in diagnosing compartment syndrome and necrotizing fasciitis, in addition to the alleged negligent administration of gentamycin, resulting in the Claimant developing deafness and having to undergo a high leg amputation. Breach of duty and causation was disputed by the Defendant. A successful application was made to debar the Defendant from relying upon all expert evidence, served late and not in accordance with court orders. A High Court appeal was due to be heard when the Defendant made an offer to settle the whole claim. Settlement was reached at £775,000.
- *AK v. CMU* (2013) – A claim for delayed diagnosis of bowel and liver

cancer leading to perforation of the tumour through the bowel wall, and giving rise to a severe locally recurrent disease. The Claimant's prognosis is alleged to have been significantly compromised and the claim is now proceeding by way of expedited directions.

- *MG v. BFWH* (2013) – Fatal claim for failure to diagnose bowel cancer leading to premature death. The claim is brought against the GP and the hospital, and includes a subsequent allegation of failure to identify and treat an anastomotic leak.
- *AW v. LTH* (2013) – A claim for alleged failure to manage this young Claimant's established Crohn's disease during pregnancy and birth, leading to the Claimant having to have her bowel removed during her early thirties, with reliance upon a permanent stoma.
- *CH v. CMUH* (2013) – A claim relating to a laceration occasioned to the Claimant's transplanted kidney during the course of caesarean section.
- *KO v. N* (2013) – A claim for alleged GP negligence in failing to prescribe lifelong antibiotics to a new patient who had moved from Poland and had previously undergone a splenectomy. The Claimant ultimately developed septicaemia and had to undergo bilateral below knee leg amputations.
- In *Thomas v. Ottavianni* (2012) – Successfully represented the Claimant at trial in a claim for negligent breast augmentation and lack of consent.

Personal Injury

Bella has long experience of dealing with personal injury claims and appears in the County Court, High Court and the Court of Appeal, both as junior counsel and in her own right. Her work encompasses all aspects of personal injury litigation, including brain injuries both subtle and severe. She acts for both Claimants and Defendants, and also has experience in multi-party litigation.

She has been retained for the past four years by a well-known fast food chain to act on their behalf, and has achieved an impressive success rate in court.

In addition, Bella's experience of medical negligence claims (see separate entry) and her associated knowledge of the healthcare and regulatory sectors, has provided her with additional expertise in dealing with contested quantum and more complicated personal injury cases. She is experienced in working with a range of medical experts, at cross-examining experts, and is adept at quickly getting to grips with complex medical issues. She is also used to taking a hands-on approach in preparing expert reports for disclosure.

Bella's prior experience as an employment practitioner during her first years of practise has also equipped her with a broader understanding of claims where employment and personal injury interact, including stress at work and harassment claims.

Bella is a member of PIBA.

Notable cases

- *LS v SYFRA* (2016 and ongoing) – Acting as junior counsel for the Claimant. The claim is for a young girl, aged 11 at injury, in a road traffic accident and left with a significant brain injury. The case proceeds in relation to quantum.
- *Darcie Ann Sloman (A child by her litigation Friend Mr Richard Sloman (2) Richard Sloman v (1) Richard Dennis Chapman (2) Plymouth City Bus Limited and Alexandra Sloman (3rd party)* (2014). This was an emotive case acting for the third party, who was mother to the child, aged 22 months, who was hit by the Defendant's bus when alighting with her mother, and suffered brain damage and physical injuries. The claim went to trial with all parties represented by senior and junior counsel (Bella brought [Jane McNeill QC](#) into the case as a leader) and concerned the complicated issue (involving extensive research of UK and European law) of a parent's liability for injury suffered by a child at the hands of a third party. The claim settled on day 2 of the 3-day trial after the bus driver and mother had given evidence.
- *KS v JPB* (2015 settlement) – RTA case representing the Claimant, 26 year old woman who sustained a fracture and soft tissue injuries to her spine, incontinence and psychological symptoms, with profound consequences for her work as a nurse and her ability to care for herself and her children. The claim settled recently for £246,000 following surveillance evidence.
- *Maria Costa v. Imperial London Hotels Ltd* (2012) EWCA Civ 672 – successful before the Court of Appeal for the Defendant/Applicant – manual handling claim brought by a chambermaid. The claim was initially successful in relation to the absence of retraining. The appeal was successful because causation ought not to have been established. The judgement was overturned.
- *Smith v. Zurich Insurance* (2013) – achieved settlement of £110,000 net for a Claimant involved in a road traffic accident in a subtle brain injury

claim, and where there were significant issues of credibility based upon surveillance evidence and the Claimant's admitted untruthful evidence.

- *Falzon v. Briggs Marine Contractors Ltd* (2013) – settlement of £450,000 achieved for a Claimant with serious orthopaedic and psychiatric injuries.
- *Ann Coles v. Plymouth City Council* (2012) – successful 3-day snow and ice claim against the council. The judge considered that the council had breached their own policy and the national code of practice. The Court of Appeal refused the Defendant permission to appeal.
- *Tanawar Malik v. Ireneusz Przybylski* (2012) – achieved settlement of £340,000 for a Claimant suffering from chronic pain/psychiatric injury following a road traffic accident.
- *Richard Dermott v. London Borough of Harrow* (2011) – QBD – junior counsel for the Claimant in a two-week trial against the local authority for stress at work arising out of the conduct of internal disciplinary proceedings.
- Bella was also one of the Claimants' counsel in the multi-party *Scania* litigation in 2004.

Fraud

Bella has had considerable experience of dealing with fraudulent claims. She has advised upon and successfully fought a number of road traffic cases, in which the Claimant was alleged to have exaggerated or misrepresented the nature of the accident, and the degree of damage occasioned, including low velocity impact claims. She has also successfully defended a number of employer's liability and highways tripping cases in which the Claimant has been shown to have either exaggerated or fabricated their claim, often with costs repercussions. She is experienced in considering such issues through analysis of surveillance and private investigators evidence, medical records and accident reports.

Professional Regulatory & Discipline

Bella appears regularly before the CICA, GMC, NMC, GSCC and HCPC, as well as representing medical practitioners at internal disciplinary hearings, in respect of which she draws from her previous practise in employment law. Bella has always enjoyed working in this area and is keen to develop her regulatory practise further.

Notable Cases

- *General Social Care Council v. Lynne Seddons* (2011) – successfully represented Ms Seddons in a five day GSCC case brought against her for alleged misconduct/lack of competence. The council's evidence was found to be flawed and at the very least inaccurate. Ms Seddons was cleared of all allegations.
- *Health Professions Council v. Janet Tomlin* (2010 and 2013) – represented Ms Tomlin, a clinical scientist against allegations of lack of competence.
- *Anthony Peter Sadler v. GMC* (2003) UKPC 59 – junior counsel representing Mr Sadler before the GMC and at the Privy Council.
- *Portsmouth Hospitals NHS Trust v. Datta* – achieved a practical settlement (as junior counsel) in a claim arising out of a conduct and competence investigation.

Notable Cases

- [Anthony Sadler v. General Medical Council](#)

The General Medical Council's Committee on Professional Performance had jurisdiction to determine the referral of a complaint about the performance of appellant consultant surgeon. There was nothing irregular or unfair...

- [Maria Costa v. Imperial London Hotels Ltd](#)
Even though an employer had breached a duty owed to an employee by not providing continuing or refresher training on how best to lift in order to reduce the risk...
- [Richard Dermott v. London Borough of Harrow](#)

The decision of a local authority's disciplinary panel that allegations of harassment against a former employee were substantiated showed no flaw in relation to the disciplinary process, the decision reached...

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