

Clare Price

Call year: 1988

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Clare acts on behalf of both Claimants and Defendants in professional indemnity claims involving solicitors and barristers, clinical negligence claims and personal injury litigation. She is frequently instructed in complex and high value claims.



Clare also has extensive experience of professional disciplinary proceedings.

Clare has chaired five Inquiries commissioned by NHS bodies into the care and treatment provided by mental health services to patients who have committed homicides.

Practice profile

Professional Negligence

Clare is regularly instructed on behalf of both Claimants and insurers in professional indemnity cases, particularly claims arising out of failed or mishandled litigation, for example during the conduct of personal injury actions or claims for financial provision on the breakdown of marriages.

Examples of recent cases in which Clare has been instructed include three high value claims for the alleged under-settlement of acquired brain injury litigation and the representation of solicitors at trial in a claim against them involving their conduct of a residence application for a child.

She has much experience of pre-trial hearings and trials and also of ADR, which is of relevance to all of her areas of practice.

Medical Law

Clare has a wide-ranging clinical negligence practice involving claims arising out of the management of the delivery of babies, diagnostic errors, surgical errors etc.

Examples of recent cases in which she has been instructed include:-

- Various claims involving brain injuries sustained at birth
- Three cases arising out of a failure to diagnose and treat retinopathy of prematurity
- Two claims following below-knee amputations
- A claim for an alleged failure to diagnose peritonitis leading to infertility
- Various claims involving the failure to diagnose spinal haematoma/cauda equina syndrome
 - Claims following maternal chorioamnionitis

Clare has also often been briefed to appear at inquests involving the care and treatment given by medical professionals. Of particular note, she was Junior Counsel for the South Derbyshire Mental Health NHS Trust at the Kingsway Hospital Inquests in January-March 2005. These were inquests into the deaths of a large number of elderly patients with dementia following serious allegations of deliberate withdrawal of nutrition and hydration. Verdicts: natural causes.

Clare has chaired five Independent Inquiries into the Care and Conduct of Patients following Homicides; the most recent of these Inquiries was published in 2006 in the case of Stephen Soans-Wade and was widely reported in the press. These Inquiries are commissioned by NHS bodies in accordance with the National Health Service Executive Circular "Guidance on the discharge of mentally disordered people and their continuing care in the community HSG (94) 27. On each occasion, Clare has had a panel of

experts conducting the Inquiry with her and a report has been prepared incorporating wide ranging recommendations which are intended to form the basis of action plans for the improved delivery of mental health services.

Personal Injury

Again, Clare is frequently instructed on behalf of both Claimants and insurers in personal injury litigation involving, for example, road traffic accidents, accidents at work and Fatal Accident litigation.

Regulatory & Disciplinary

Clare has regularly appeared before the Nursing and Midwifery Council for a considerable number of years and, more recently, before the First-Tier Tribunal (Health, Education and Social Care). She represents nurses at both interim suspension hearings and full hearings before the Conduct and Competence Committee, often at lengthy hearings which have lasted for up to 2 weeks, and where her advocacy skills are of particular importance.

Examples of cases in which she has recently been instructed involve issues of fitness to practise arising out of allegations of drug errors, sleeping whilst on duty and failing adequately to care for patients.

Further information

Year of call: 1988

Specialist areas: professional indemnity, medical law, personal injury and regulatory and disciplinary work

Education: King's College, London (1984-1987) LL.B (First class honours); Christ's College, Cambridge (1988-1989) LL.M (2:1)

Recent cases

MAC v Secretary of State for Health [2009] 469.PVA [2009] 470.PC. Successful appeal against PoVA/PoCA listing arising out of allegations relating to medication errors and the care of suspected head injuries.

Carranza and another v Secretaries of State for Health and Children, Schools and Families [2008] 1221.PVA. Successful appeal against PoVA/PoCA listing.

Joyce v Secretary of State for Health [2006] 813.PVA; [2006] 814.PC. Successful appeal against PoVA/PoCA listing.

JM v Secretary of State (2007) 920 PC, (2007) 921 PVA. Successful appeal to Care Standards Tribunal against PoCA/PoVA listing involving complex allegations of an inappropriate relationship with a vulnerable child who was in care. Heard in private in January 2008 over 4 days with pre-hearing argument in 2007 on issue of construction of the Protection of Children Act 1999.

Atack v Lee [2004] EWCA Civ 1712, [2005] 1 WLR 2643 (success fees in CFAs)

Publications and lectures

The Report of the Independent Inquiry into the Care and Treatment of Mr William Scott whilst a patient in the Weller Wing, Bedford and Shires Health and Care NHS Trust (1997), commissioned by Bedfordshire Health Authority

The Report of the Independent Inquiry into the Care and Treatment of Giuseppe Nacci (1998), commissioned by Bedfordshire Health Authority

The Report of the Independent Inquiry into the Care and Treatment of Matthew Raymond Hotston (2001), commissioned by East London and the City Health Authority

The Report of the Independent Inquiry into the Care and Treatment of Chandran Sukumaran (2004), commissioned by North East London Strategic Health Authority

The Report of the Independent Inquiry into the Care and Treatment of Stephen Soans-Wade (2006), commissioned by North East London Strategic Health Authority.

What others say

"Clare Price is very experienced at representing nurses at NMC tribunals. She 'is very experienced, really puts herself out for the client and gets superb results'." *Chambers UK 2010*

"Terrier-like' Clare Price also garnered her fair share of praise. Seen as someone who has carved out a decent practice, she impresses clients with her 'straight-down-the-line attitude'." *Chambers UK 2010*

"Clare Price is 'very experienced and understated'." *Legal 500 2009*

Clare is recommended as a leading junior in medical law by *Legal 500 2008*.

"also recommended [is] Clare Price, 'extremely good at providing well-thought out, practical and legally sound advice to an agreed time-scale'." *Legal 500 2008*
