12
King's Bench Walk

Elizabeth Boulden



Call: 2016
boulden@12kbw.co.uk

AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Inquests, International & Travel, Industrial Disease, Public Authority Liability, Credit Hire, Insurance, Aviation

Elizabeth's personal injury practice has particular specialisms in clinical negligence, inquests, employers' liability, international & travel and non-asbestos industrial disease. She is ranked in the Legal 500 for clinical negligence.

She frequently represents parties in trials, CCMCs, application hearings and inquests. Elizabeth also has a busy paperwork practice advising and drafting pleadings. She is comfortable acting as sole counsel in high value cases and with cases dealing with serious injuries such as brain injury.

Elizabeth regularly represents interested persons in inquest hearings, in particular those relating to circumstances of alleged clinical negligence in hospitals.

Prior to her legal studies, Elizabeth achieved 2 science Masters Degrees, with particular focus on virology, immunology, cancer biology and laboratory research.

Personal Injury

Elizabeth regularly acts in a variety of aspects of personal injury litigation, including in employers' liability and public liability claims, and fatal cases.

Elizabeth's experience includes:

- Employers' liability claims, in particular in relation to the construction industry
- Occupiers' liability claims
- Highways claims
- Road traffic accident claims
- Fatal cases
- FND
- Quantum

Elizabeth is proficient in acting in trials, applications and CCMCs, as well as drafting pleadings and advising on both liability and quantum. She has worked on cases involving allegations of brain injury and FND.

Clinical Negligence

Elizabeth acts for both Claimants and Defendants in clinical negligence cases. She is adept at advising on liability and

quantum, as well as settling pleadings and clarifying expert evidence in conference.

She is comfortable dealing with high value cases as sole counsel. Elizabeth recently settled a clinical negligence brain injury case at JSM for £1.7 million and is currently instructed for the Defendant on a case pleaded at over £5 million.

With her background of 2 science Masters degrees, Elizabeth is well-placed to understand the complex biological issues which can arise in expert evidence.

Elizabeth has dealt with numerous clinical negligence cases, including cases involving:

- Alleged negligence in surgical procedures, in particular orthopaedic surgery and general surgery
- Alleged negligence in diagnostic procedures e.g. colonoscopy
- Delays in diagnosis/treatment, including various types of cancer, stroke, orthopaedic injuries, compartment syndrome, endocrine condition, kidney injury, appendicitis and heart attacks/heart conditions
- Alleged deficiencies in nursing care and care of the elderly, e.g. pressure sores and falls risk
- Obstetrics/gynaecology, including those involving uterine injury, ectopic pregnancy and infection
- Neonatal death
- Administration of incorrect medication doses
- Alleged negligence in cannulation, injection, tubing and aspiration
- Urological injuries
- Optometry and ophthalmology

She is happy to act on a CFA basis.

Elizabeth also edits the 12KBW Clinical Negligence blog: https://clinicalnegligence.blog/

International & Travel

Elizabeth is experienced in cases relating to injury and illness abroad.

She is very familiar with claims under the Package Travel Regulations relating to accidents and illness abroad and advising on matters arising from local standards evidence.

Elizabeth is also happy to advise on points relating to applicable law and jurisdiction under the Brussels Recast and Rome II Regulations, as well as dealing with cases under the Athens Convention and Montreal Convention.

Inquests

Elizabeth represents families and other interested persons at inquests, helping them navigate this challenging and emotional process.

She regularly acts in complex, multi-day inquests, which often involve submissions on the engagement of Article 2 of the European Convention of Human Rights.

The main area of focus for these inquests is clinical negligence, where there can be difficult issues of medical causation. In particular, Elizabeth has represented families in inquests involving the deaths of babies and young children.

Elizabeth understands the need for sensitivity in inquests, as well as for a full and fair exploration of the circumstances of each case.

She is happy to act on a CFA basis.

Elizabeth's recent inquests include:

- Acting for the family in a 5-day Article 2 inquest into the death of their 1 day old baby at a hospital. The coroner identified multiple failings in the neonatal care and found that the baby would have likely survived had they been transferred in utero to a Neonatal Intensive Care Unit.
- Acting for the family in a 3-day inquest into the death of their 1 day old baby at a hospital, who passed away as a result of infection contracted in utero following prolonged rupture of membranes. The coroner found a number of failings in the obstetric care provided to the mother, and that there was a delay in delivery.
- Representing the family in a 3-day inquest into the death of a nursing home resident, who had a complex medical history including being bedbound with a degenerative condition and pressure sores. The family were concerned about the care that their loved one had received in the nursing home.
- Acting for the family in a 4-day inquest regarding the death of their 3-year-old from an undiagnosed heart condition, where there were missed opportunities in the care given.
- Acting for the family in a multi-day inquest into the death of a young adult who suffered a significant asthma attack but left the medical facility due to the lengthy waiting time.
- Acting for the family in a case where the delay in clinicians investigating, diagnosing and treating sepsis contributed to the death.
- Representing the family in an inquest where the deceased died during a routine medical procedure.
- Acting for an interested person in an Article 2 jury inquest, where there was a verdict of unlawful killing.
- Representing an interested person in a jury inquest about the death of a tradesman who died on site from electrocution.
- Acting for the families in inquests involving allegations regarding the administration of medication.

Industrial Disease

Elizabeth has worked on cases involving the following injuries:

- Non-asbestos respiratory disease, such as exposure to gases and glass dust
- NIHL
- HAVS/VWF

She is familiar with the issues of causation and limitation that arise in such cases.

Insurance

Elizabeth’s experience of RTA and credit hire claims has often involved issues of insurance law, and she has a good understanding of policy disputes.

Credit Hire

Elizabeth acts for Defendants in credit hire claims. She has a good knowledge of the case law and takes a forensic approach to quantum.

She is adept at dealing with issues of need, period, intervention and impecuniosity, as well as at analysing basic hire rates evidence.

Insurance

Elizabeth’s experience of RTA and credit hire claims has often involved issues of insurance law, and she has a good understanding of policy disputes.

Qualifications & Awards

Bar Professional Training Course (Outstanding), BPP University

Graduate Diploma in Law (Distinction), BPP University

MPhil, Imperial College London

BA and MSci, Natural Sciences, University of Cambridge (2007-2011)

Queen Mother Scholarship (Major Scholarship), The Honourable Society of the Middle Temple

Harmsworth Entrance Exhibition, The Honourable Society of the Middle Temple

Certificate of Honour, The Honourable Society of the Middle Temple

Memberships

Personal Injuries Bar Association

Professional Negligence Bar Association

AvMA (Action Against Medical Accidents)