



1 CROWN OFFICE ROW

## Richard Mumford

Call: 2004



Richard Mumford's healthcare work is focused on claims relating to medical accidents of all descriptions (including product liability claims arising from medical devices) but also encompasses regulatory proceedings and contractual claims relating to the provision of healthcare and related services.

In addition, Richard regularly deals with personal injury claims ranging from serious road traffic injury and industrial injuries to physical and sexual abuse. Richard also advises and represents clients in relation to costs arising from litigation.

*"Approachable and capable with good tactical judgement."*

**Legal 500**

## Clinical Negligence

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Richard acts for both claimants and defendants across the range of medically-related injury, up to and including very high value birth injury cases and paraplegia.

### Selected Cases

- **Duce v Worcestershire Acute Hospitals NHS Trust [2018] EWCA Civ 1307**
- **AB v Royal Devon & Exeter NHS Foundation Trust [2016] EWHC 1024 (QB), Irwin J, 4 May 2016**
- **Hussain v King Edward VII Hospital [2012] EWHC 3441 (QB), Eady J (30 November 2012) and [2013] EWCA Civ 1863, Court of Appeal (12 December 2013)**

- **Romy Smith (by her Mother and Litigation friend Sally Smith) v East and North Hertfordshire Hospitals NHS Trust [2008] EWHC 2234 (QB) (1 October 2008)**

## Personal Injury

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Richard's work covers the full range of physical and psychiatric injury arising from e.g. work or sporting activity as well as deliberate physical and sexual abuse. He has a particular interest in Criminal Injuries Compensation Authority (CICA) cases, having acted in high value matters including obtaining in excess of £3.5m for a young adult severely brain damaged as a result of shaking as a baby and more than £3m in compensation for a victim of childhood sexual abuse. Richard also obtained two maximum tariff awards in relation to siblings who had suffered physical and sexual abuse whilst in foster care.

He was instructed as part of a team of counsel acting on behalf of the Ministry of Defence in the Group Litigation arising out of the series of British nuclear tests carried out in Australia and the South Pacific in the 1950s, leading to a landmark decision of the Supreme Court on the defence of limitation in personal injury claims: *Ministry of Defence v AB and others* [2012] UKSC 9.

## Professional Discipline & Regulation

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Richard's regulatory practice is focused primarily on medical practitioners and associated professionals. He is particularly skilled at dealing with the logistical challenges posed by cases involving multiple counts, having successfully defended an Occupational Therapist in the Health Professions Council on 94 charges relating to conduct and competence as well as an optometrist before the General Optical Council on 87 counts of misconduct and deficient professional performance. He also has experience of defending in General Medical Council and in the Nursing and Midwifery Council on multiple counts involving dishonesty. Richard has appeared on Registration Appeals before both the General Medical Council and General Dental Council, concerning issues of mutual recognition of qualifications under EU law.

## Inquests

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Richard has substantial experience of coronial law, having acted on behalf of family members and other interested persons at a large number of inquests. Richard recently appeared on behalf of a bereaved family in relation to an infant death following delivery at the Princess Royal Hospital, Telford; this was one of several perinatal deaths at Shrewsbury and Telford NHS Trust which have prompted the Secretary of State for Health, Jeremy Hunt, to request a review by NHS England and NHS Improvement.

# Health Law

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Richard frequently acts in a range of health and healthcare-related matters. He has acted on behalf of a counsellor as an interested party to Crown Court proceedings involving questions of data protection and patient confidentiality. He has also advised one of the major Medical Defence Organisations on policy issues of patient confidentiality during PCT inspections and acted in a number of cases concerning challenges to contractual terms imposed on GPs and dentists and termination of GMS/GDS contracts.

Recently, he has appeared on behalf of a healthcare practitioner as an intervener to care proceedings under the Children Act 1989. Richard also has experience of best interests proceedings and other Court of Protection matters. He successfully represented two (of fifteen) respondents in a £4.45m employment tribunal claim brought by a former hospital consultant involving allegations of aiding sex and race discrimination.

## Costs

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Richard regularly advises and represents clients on matters in relation to costs incurred in litigation, particularly in relation to personal injury and clinical negligence matters of which he has wide experience, as detailed above. Richard frequently appears before Queen's Bench Masters in relation to costs budgeting, as well as advising and providing representation in relation to detailed assessments of costs.

## Awards

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- Lord Denning Scholar & Sunley Scholar, Lincoln's Inn.
- Foundation Scholar & Ziegler Prize for Law, Pembroke College, Cambridge.

## Memberships

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- ARDL
- HRLA
- PNBA
- PIBA

## Publications

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- Co-author of the annually-updated chapter on Clinical Practitioners in the loose-leaf and online publication "Professional Negligence and Liability."
- Author of four chapters in "The Inquest Book" Hart Publishing 2016