

## Rachel Segal



YEAR OF CALL: 2013

INN: LINCOLN'S INN

“ A strong, organised and approachable barrister, who goes above and beyond to be available to deal with urgent matters. She is patient and understanding with clients, and is excellent at explaining complex matters in layman's terms.”

LEGAL 500, 2022

PERSONAL INJURY

## Practice Overview

Rachel specialises in personal injury and clinical negligence and is ranked as a leading junior in The Legal 500. She is frequently instructed to advise and represent parties on both sides of relief from sanctions applications across the spectrum of civil litigation. She has a wide-ranging clinical negligence practice with a particular interest in cases relating to the diagnosis and treatment of breast cancers. Rachel also advises and represents parties in a range of high-value RTA, Highways Act, employers' liability, occupiers' and public liability matters.

Rachel was second junior to Christopher Sharp QC and Anna Symington in a recent catastrophic brain injury case, assisting with a complex multi-million pound Schedule.

Before coming to the Bar, Rachel was an academic in musicology and then Higher Education Pedagogic Policy Research, advising institutional and national policy makers. Rachel was for many years a professional classical cellist and singer. She is an expert on the composer Franz Waxman, on whom she has published scholarly articles and a series for BBC Radio 3's Composer of the Week.

## Areas of Expertise

### Clinical Negligence

Rachel's rapidly expanding clinical negligence practice is wide-ranging. She has a particular interest in cases relating to the diagnosis and treatment of breast cancers.

Recent instructions include cases (for claimants and for defendant clinicians) in the fields of:

- ▶ **Ophthalmology:** negligent management of keratoconus in a young woman with permanent damage to vision and otherwise avoidable transplant surgery; and a consent dispute involving poor corneal transplant outcomes in a patient with Fuchs Endothelial Dystrophy.
- ▶ **Oncology:** alleged delayed diagnosis of Osteosarcomae resulting in limb amputation, negligent radiological analysis and reporting of bone cancers and metastatic disease; and delayed diagnosis and negligent post-surgical adjuvant treatment of oestrogen-positive,HER-2 negative breast cancer.
- ▶ **General Practice:** alleged delayed diagnosis of Diabetes Mellitus leading to glaucoma, to acute peripheral neuropathy, and to limb amputation.
- ▶ **Geriatrics:** alleged negligent care of elderly high-falls-risk patients and of patients with vascular dementia.
- ▶ **Cosmetic Procedures:** allegations of negligent cosmetic procedures involving high-intensity lasers, including laser hair removal and skin treatments.
- ▶ **Dentistry:** claims involving negligent root canal therapy and unnecessary extractions; treatment of a child who sustained permanent facial scarring as a result of infection arising from negligent dental treatment.
- ▶ **Obstetrics:** settlement for a child claimant sustaining injury and permanent scarring due to negligent midwifery practice during delivery.

## Personal Injury

Rachel advises and represents parties in a range of RTA, Highways Act, employers' liability, occupiers' and public liability matters.

Her most recent personal injury instructions have included:

- ▶ Advising the family of a teenager suffering catastrophic multiple orthopaedic and brain injuries following a road traffic accident.
- ▶ Achieving settlement for an injured motorcyclist with chronic pain syndrome and permanent orthopaedic injuries.
- ▶ Achieving settlement in respect of a complex future loss of earnings and loss of pension claim involving neurological, orthopaedic and psychological injuries arising from a high-speed motorbike v 4x4 accident.
- ▶ Secondary victim claims, including for a father witnessing his seriously-injured presumed-dead child following a road traffic accident.
- ▶ Obtaining substantial damages arising from skull and spinal fractures in a young self-employed man following an outdoor pursuits accident.

- ▶ A case involving a shopworker sustaining head injury and neurological damage due to defective storage equipment.
- ▶ Defending a claim brought by an office worker for neurological, orthopaedic and psychological injuries caused by collapsed office furniture.

Rachel was second junior to Christopher Sharp QC and Anna Symington in a recent catastrophic brain injury case, assisting with a complex multi-million pound Schedule.

### ***Employers' Liability***

Rachel is a personal injury barrister with experience in advising and drafting pleadings for claimants and defendants in cases involving employer's liability in a variety of contexts. She is instructed from pre-action to trial stages.

#### **Recent instructions include:**

- ▶ Advising a factory worker injured in the course of his employment in using inappropriate lifting equipment (settled).
- ▶ Advising on liability and quantum in a manual handling case involving metal girders.
- ▶ Advising and drafting pleadings in a case involving a worker's shoulder being crushed by a forklift truck (settled).
- ▶ Advising and drafting pleadings for an employee who was badly burned and scarred by unsecured chemicals in a waste facility at work (settled).

### ***Personal Injury Costs***

Rachel has experience dealing with personal injury costs both within and outside the Portal and has a strong track record of obtaining costs orders that exceed the expectations of instructing solicitors, both in Application hearings and at trial.

She has been described by solicitors as being "very strong" on Portal costs relating to both the RTA and EL/PL Pre-Action Protocols (an area in which she provides advice and training to instructing solicitors) and is a self-confessed Portal geek.

### ***Public Liability***

Rachel is a personal injury barrister frequently instructed to advise and represent claimants and defendants in public liability matters arising from accidents on the highways and on public and private premises. She is instructed at all stages of litigation (including in conference, case and costs management, interim application hearings and trials).

#### **Recent work includes:**

- ▶ Advising on liability and causation in a claim involving a large DIY chain and a claimant injured in an explosion

- ▶ Advising on quantum and settlement strategy and drafting pleadings in claims involving a child injured on defective playground equipment and another injured while tripping in a public park.
- ▶ Advising on liability and causation where a runner was injured by unsecured hoardings outside a public house.
- ▶ Advising on liability, causation and quantum and drafting pleadings in a case involving a slipping incident and multiple fractures in a claimant with complex co-morbidities.
- ▶ Advising and drafting pleadings for an individual injured in a tripping incident on a large construction site.
- ▶ Advising a child injured in a tripping incident at a holiday park.
- ▶ Advising a County Council on a claim involving a road traffic collision at a public park.

### *Travel Abroad*

Rachel is a personal injury barrister with a developing practice in travel abroad cases. She has been instructed on matters involving the Package Tour Regulations.

#### Recent work includes:

- ▶ Advising in a holiday sickness claim.
- ▶ Advising on jurisdictional issues in an accident on a holiday abroad.
- ▶ Drafting pleadings for a claimant injured in a tripping accident on a package holiday.

## Recommendations

"Rachel was fantastic, she was very clear on what she needed from me and I felt encouraged after speaking with her. I will definitely be instructing her in the future and thank you again."

INSTRUCTING SOLICITOR

"Great result again, I shall add it on to my successes spreadsheet when I am back in the office tomorrow! My TL will be pleased we got another one so soon after our last success so thank you very much. "

FILE HANDLER

"Fantastic outcome..... Really happy with the result, thank you very much."

FEE EARNER

## Professional memberships:

- ▶ Personal Injury Bar Association
- ▶ Employment Law Bar Association
- ▶ Association of Personal Injury Lawyers (APIL)

- ▶ Women Lawyers' Division
- ▶ Member of the Western Circuit
- ▶ Member of the Western Circuit's Women's Forum

## Qualifications & awards

- ▶ BPTC (Nottingham Law School) – very competent (top in year in commercial litigation and employment litigation)
- ▶ Grad LLB (Nottingham Law School) – first class
- ▶ GDL (University of Plymouth) – distinction
- ▶ PhD (Newcastle University)
- ▶ PGCertHE (Open University)
- ▶ MA by research (University of Leeds)
- ▶ BA (Hons) in Music with English Literature (University of Leeds)

## Additional information:

Before training for the Bar, Rachel was a full-time academic for many years, lecturing in musicology and specialising in Golden Era Hollywood film scoring and latterly working in Higher Education Policy Research. She is a recognised expert on the composer Franz Waxman (a particular focus of her PhD) on whom she has contributed a range of publications, including a Composer of the Week series for BBC Radio 3. She was until recently a professional classical cellist and singer.

## Contact Rachel:

[rachel.segal@stjohnschambers.co.uk](mailto:rachel.segal@stjohnschambers.co.uk)

## Contact the clerks:

T: 0117 923 4730

E: [piclerks@stjohnschambers.co.uk](mailto:piclerks@stjohnschambers.co.uk)