

## Rachel Segal



YEAR OF CALL: 2013

INN: LINCOLN'S INN

“ 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.”

## Practice Overview

Rachel is a specialist personal injury and clinical negligence barrister with a busy court and practice. She is regularly instructed to draft pleadings, advise on paper and in conference across the spectrum of personal injury law.

Rachel frequently represents both claimants and defendants in trials, applications and other interim hearings in a range of RTA (including credit hire), Highways Act, employers' liability, occupier's liability and public liability matters.

Rachel's work in clinical negligence has to date included cases involving negligence in the fields of dentistry, midwifery, gynaecology, orthopaedics and oncology.

## Areas of Expertise

### Clinical Negligence

Rachel has a growing clinical negligence practice with a particular interest in clinical negligence matters involving obstetrics, gynaecology and delayed diagnosis of breast cancers.

She regularly receives instructions to advise on liability, causation and quantum in a range of clinical negligence matters from dental negligence to obstetrics. She has drafted pleadings, prepared schedules and counter schedules (including assisting in high-value matters) and attended CCMCs and JSMs across a range of clinical negligence matters.

**Recent work includes:**

- ▶ Advising and drafting pleadings in dental negligence claims involving negligent root canal therapy and unnecessary extractions.
- ▶ Advising on settlement for a child claimant sustaining injury and permanent scarring due to negligent midwifery practice during delivery.
- ▶ Representing a child who sustained permanent facial scarring as a result of infection arising from negligent dental treatment.

### Personal Injury

Rachel is a personal injury barrister representing both claimants and defendants in trials, applications and other interim hearings in a broad range of RTA (including Credit Hire), Highways Act, Employers' Liability, Occupier's Liability and Public Liability matters.

As a former academic musicologist and professional musician she is particularly interested in the newly emerging area of acoustic shock in professional musicians (especially following the judgment in *Goldscheider v The Royal Opera House Covent Garden Foundation* [2018] EWHC 687 (QB)).

#### *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

"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.



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