

## Dr Simon Fox QC - Clinical Negligence

### Practice

Simon is a medically qualified specialist clinical negligence silk with over 20 years experience.

Within clinical negligence, Simon specialises in cases with difficult and complicated issues on breach of duty where his medical qualification enables him to better understand the full breadth of the potential issues, get the most from the experts, present the client's case at its best and cross-examine effectively.

He is generally instructed in cases exceeding £1m in value and recently concluded a cerebral palsy claim in a lump sum equivalent value of £25m – believed to be one of the highest ever clinical negligence awards made at that time in the UK.

His practice is nationwide. He spends much of his time travelling the country to meet clients in Chambers, solicitor's offices and in client's own homes.

### Background

Simon qualified first as a doctor at Charing Cross and Westminster Medical School and worked in the UK, New Zealand and Central Africa from 1989 to 1994. His experience included emergency medicine, terminal care, neurosurgery and treating casualties from the Mozambique civil war.

In addition to his clinical negligence work, Simon sits two days per month as Assistant Coroner in Bristol. He lives in Cheltenham.

Outside work Simon is a keen hill runner, competing in 24-hour events up to 100 km and 4-day events up to 160 km.

### Directories

The comments below are from Chambers UK and The Legal 500:

**Band 1** Ranked by Chambers UK.

"Dr Simon Fox is superb with clients." "He is able to see points other barristers couldn't and offer a new perspective."

"He is very forensic – none of the detail ever passes him by and he is very good at dealing with traumatised clients and putting them at ease."

"The medicine is really complex and he's just completely on it, bashing forward questions with the experts and has never not understood where we are."

"He is extremely hardworking and unafraid to fight difficult cases."

"an extremely talented and experienced counsel, able to get the very best from medical experts"

"commands a nationwide reputation for the depth of his specialisation" and "absolutely fantastic ... extremely talented ... really easy to work with and clients like him"

"He's very good with complex serious injury, particularly high-value cases. He's very forensic and knows how to handle experts. A fabulous barrister who gives sound, pragmatic advice."  
"He communicates with experts with ease, and goes above and beyond the call of duty."

"He is absolutely fantastic. He is really easy to work with and clients like him." "He is an extremely talented barrister who provides practical support and advice."

... commands a nationwide reputation for the depth of his specialisation. Sources cite the strength of his medical knowledge and experience, which enable him to "get to grips with all of the pertinent issues in the case with unbelievable speed." In addition, solicitors praise his accessibility and "willingness to advise on the most complex matters even at short notice."

... elicited a tranche of enthusiastic feedback for his "excellent client care skills," as well as for "his strength on his feet in court."

"he has an overtly reasonable and calm approach which belies his evident ability to get his hands dirty in a fight".

"not afraid of a fight" and "one of the most delightful barristers you'll ever meet."

## **Seminars**

Simon also speaks at seminars across the country. Audiences have described him as "such a good presenter that I would not miss any seminar conducted by him ... possibly the best speaker we have had, and we have had some very good ones".

Present seminar topics include "Neuroanatomy for Clin Neg Lawyers" and "Clin Neg Update".

## **Qualifications**

MB, BS (Charing Cross and Westminster Medical School) (1990)  
Common Professional Examination (City) (1993)

## **Memberships**

Simon is a member of the British Medical Association and the Personal Injury Bar Association.

Simon is an invited speaker at the Royal College of Surgeons, the British Medical Association, APIL, AvMA and the Law Society.

## **Appointments**

Assistant Coroner for Avon and Gloucester.

## **Notable cases**

### Children

Multiple cases of negligent management of pregnancy, labour and delivery.

Cerebral Palsy - £25 million (lump sum equivalent).

Neonatal management of kernicterus leading to brain injury.

Negligent delay in diagnosis and management of osteomyelitis in 6-month old baby.

Multiple cases of negligent management of encephalitis, meningitis and septicaemia in neonates, children and teenagers leading to brain injury, multiple limb amputation or death.

Delay in diagnosis of medulloblastoma brain tumour leading to major brain injury.

Delay in diagnosis of high blood pressure leading to kidney and heart failure.

Missed diagnosis of TB leading to the death of a 14-year-old girl resulting in Neglect Coroner's verdict and multiple recommendations to improve TB care in West Midlands.

### Adults

Delay in diagnosis of compartment syndrome after tibial fracture leading to below knee amputation.

Multiple cases of delayed or missed diagnosis leading to stroke or fatal brain haemorrhage.

Delay in diagnosis leading to vision loss.

Multiple cases of negligent surgical technique - brain, ENT, chest, abdomen, liver/gall bladder and vascular - open and laparoscopic.

Multiple cases of missed diagnosis of respiratory tuberculosis and TB meningitis leading to death or brain injury.

Multiple cases of delayed diagnosis of cancer - brain, ENT, lung, bowel, skin.

Fatal surgical liver injury in cholecystectomy.

Emergency department management of excited delirium in cocaine user later collapsing in a police cell and death later in hospital.

