

Clementine Coram James

Call: 2012



Overview

Clementine's main areas of practice are personal injury, clinical negligence and professional discipline. She also acts in commercial matters, often involving property disputes.

She has particular expertise in the regulation of medical professionals and members of the financial services industry after secondments at the Nursing and Midwifery Council and the Financial Conduct Authority. In addition, Clementine has experience of public inquiries having been instructed as a junior for the Metropolitan Police service on the Undercover Policing Inquiry and in the Grenfell Tower Inquiry.

Clementine regularly appears in the County Court, High Court and the Coroners' Court. Her cases include fast track and multi track trials and contested applications where she appears for claimants and defendants alike. Her medical practice spans the full clinical spectrum with recent instructions including obstetrics, oncology, orthopaedic, dental and general surgery, acute medicine and general practice. She is recognised as a leading junior in the clinical negligence field by both *Chambers Directory* and *Legal 500*.

Medical law

Clementine undertakes a wide range of clinical negligence matters of varying degrees of complexity and value. She has experience across the healthcare setting including claims relating to delayed diagnosis, chronic pain, psychiatric care, dental care, birth injuries and neurological injuries. In addition to appearing in Court, Clementine is regularly instructed to attend mediations and joint settlement meetings. Her inquest practice complements her civil practice and has assisted further to develop her knowledge of medical issues. She has experience dealing with bereaved families, the health and safety executive and institutions whose practice and procedure is subject to scrutiny.

Clementine accepts instructions from both claimants and defendants.

Recent instructions have included:

- Led by Dominic Nolan KC for the Defendant in a multi-million pound claim involving life changing spinal injuries set to go to trial later this year
- Acting for the Claimant at Mediation to secure a six figure settlement for a man rendered doubly incontinent by unnecessary radiation treatment
- Advising and drafting in claims alleging negligent failure to identify fractures in radiographs. These have included fractures to the navicular bone, leading to the need for talonavicular fusion, an avulsion fracture to the anterior process of the calcaneus and a fracture to the 5th metatarsal of a long distance runner
- Acting for the Trust in a 6-day inquest examining issues of end of life care, capacity, social care provision, communication between care teams and risk assessment
- Acting for the family in a 3-day inquest and subsequent negligence claim involving a woman who died after a laparoscopic cholecystectomy due to a failure to diagnose bowel perforation
- Advising and drafting in a claim where the claimant suffered a scalpel injury during her birth by caesarean section, which left her blind in one eye

Clementine's experience at the Nursing and Midwifery Council means that she is well placed to consider the regulatory aspects of clinical negligence claims.

Regulatory and disciplinary

Clementine has a particular interest in regulatory and disciplinary work relating to the medical profession, as well as financial regulation.

A 6-month secondment with the Nursing and Midwifery Council in 2015 has enabled Clementine to develop a detailed knowledge of the regulatory framework and standards for healthcare professionals. She is experienced in the full range of hearings including substantive hearings, conviction and competence matters. Cases have included serious allegations of a sexual nature, persistent lack of competence and dishonesty, involving large numbers of charges and witnesses.

At the FCA Clementine was instructed as junior counsel in proceedings before the Regulatory Decisions Committee. The case involved high profile individuals and institutions and arose out of alleged breaches of the Listing Rules and APER 1. She advised on the case against certain individuals connected with the transactions and was involved in preparing suspect interviews.

Clementine is particularly aware of the reputational and professional consequences of disciplinary proceedings, recognising the need for clients to receive sensitive, sound advice and robust representation.

Personal injury

Clementine has acted extensively for claimants and defendants in personal injury claims. This has included advisory work, drafting and advocacy in the County Court and High Court (small claims, fast track and multi-track matters). Instructions include:

- Regular instructions from local authorities (particularly Essex and Leicestershire County Councils) in Occupiers' Liability Act, accident at work and Highways Act claims. To date, she has appeared in more than 100 Fast Track trials
- Advising and drafting in a Hand-Arm Vibration Syndrome ("HAVS") claim involving issues arising out of inadequate disclosure by the defendant
- Successfully obtaining and successfully resisting findings of fundamental dishonesty in RTA claims
- Securing settlement in a substantial accident at work claim against a McDonald's franchise
- Advising in a RTA claim involving complex loss of earnings calculations and causation issues

Commercial law

Clementine is developing a broad commercial practice including professional liability and insolvency.

Instructions have included applications for urgent injunctive relief, including freezing injunctions in the High Court. She is very aware of the need to act quickly and to bring cases before the court within a matter of hours.

Clementine has appeared as sole counsel in the High Court on a number of occasions including in an application seeking rescission and dismissal of a winding up order and obtaining validation orders in insolvency cases.

In addition, Clementine has a particular interest in property matters and has experience of advising and appearing at trial in mortgage-related and landlord and tenant disputes, including allegations of antisocial behaviour and disrepair as well as contractual disputes. She has been instructed in both fast track and multi track cases.

Professional liability

Clementine regularly receives instructions in professional liability claims. Her clients include claimants and defendants, together with insurers, and her practice encompasses claims involving solicitors, surveyors, accountants and private clients.

With her secondment at the Financial Conduct Authority, Clementine has developed a particular interest in claims involving financial services professionals.

In addition, Clementine is able to draw on her considerable experience in personal injury and clinical negligence litigation. This has afforded her particular expertise in claims arising out of alleged procedural poor conduct, lost litigation and settlement at an undervalue.

Recently Clementine appeared as sole counsel in a 5-day professional liability claim which included extensive expert evidence. Apart from her trial experience, Clementine has also been involved in numerous strike out and summary judgment hearings and she has wasted costs expertise.

Clementine is very happy to be involved in the early stages of a claim and frequently advises pre-action. She is particularly mindful of the commercial considerations that her clients have and the need to make well informed, risk based decisions.

What others say

"She has a keen eye for detail and represents clients with tenacity and skill." *Chambers UK, 2024*

"Clementine is calm and collected, approaching conferences and advice with ease due to her impressive knowledge of a case and excellent client management skills." *Chambers UK, 2024*

"She is forensic in her analysis of quantum and is very user friendly." *Chambers UK, 2024*

"Clementine has all the accolades of a hugely impressive barrister, and will certainly be a leading barrister in the years to come." *Legal 500, 2024*

"Clementine is a very intelligent and efficient barrister. She gets to grips with the detail of her cases which is demonstrated in her written advices and her performance in conference." *Legal 500, 2023*

"Clementine is thorough and tenacious. You always feel that you are in a safe pair of hands." *Legal 500, 2022*

"Thorough with experts, robust with defendants, and someone that clients trust in mediation." *Legal 500, 2021*

Further information

Membership

Clementine is a member of PIBA, AvMA, APIL, YFLA and the London Young Lawyers' Group

Education

BPTC: Outstanding, Kaplan Law School

GDL: Commendation, City Law School

English Literature: BA(Hons), Bristol University

Scholarships and prizes

Advocacy prize for best overall performance, Kaplan Law School

Law prize, Kaplan Law School

BPTC Award, Inner Temple

BPTC Exhibition and Duke of Edinburgh Scholarship, Inner Temple

Advocacy training and mentoring

Since 2013, Clementine has been actively involved in training and mentoring for BPTC students, undergraduates and sixth formers on behalf of Inner Temple and Lincoln's Inn.

Personal

Clementine's interests include skiing, scuba diving, travelling and Formula 1.

ICO Data protection registration number: **ZA051782**.

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