

## Matthew Turner



Call: 2018 (2017 - Solicitor, England and Wales)

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### Profile

Matthew has a broad civil liberties and human rights practice, with a particular focus on medical and healthcare issues. His core practice includes inquests, clinical negligence, personal injury, actions against the police, and professional discipline (healthcare). He specialises in wrongful death cases. Matthew is passionate about representing claimants and bereaved families, and is an experienced trial lawyer.

Matthew is the former Director of the **Labour Campaign for Human Rights**, and is an advisor to **Stop Uyghur Genocide** and the **29 Principles**.

Matthew graduated top of his year in law at the University of Nottingham. This included a year at the University of Texas at Austin Law School, where he worked as a Student Criminal Defence Attorney representing death row inmates in federal appeals.

Before coming to the Bar, Matthew was a commercial solicitor and trained at a Magic Circle law firm.

Matthew is Public Access qualified and accepts instructions on this basis.

### Education

LLB, Law with American Law, University of Nottingham (2014), First Class with Distinction in American Law (top graduating student)

Legal Practice Course, BPP Law School (2015), Distinction

Bar Transfer Test, BPP Law School (2018)

### **Related practice areas**

Clinical Negligence, Personal Injury & Product Liability

Inquests and Public Inquiries

Actions Against the Police and Public Authorities

Professional Discipline and Regulation

International Law

Children's Rights Group

## **Inquests**

Matthew is passionate about representing families at inquests and has experience far beyond his level of call. He is regularly instructed in lengthy and complex inquests – often where Article 2 is engaged and with a jury - and consistently secures findings of multiple possibly / probably causative failings.

**Matthew has secured neglect verdicts in seven different inquests since December 2021.**

His inquests fall into four broad categories: (1) medical deaths in custody (prisons and mental health hospitals); (2) hospitals deaths or deaths following medical treatment; (3) police deaths; and (4) other deaths, including road traffic accidents and train deaths.

- Matthew takes a collegiate approach to working with instructing solicitors (and finds it useful to be involved from an early stage, if possible).
- He is extremely sensitive and empathetic with grieving families.
- He is regularly successful in arguing that Article 2 ECHR applies, including in unusual circumstances.
- He engages well with coroners and juries and has received positive feedback from opposing counsel.

- He has had significant success in obtaining findings of possibly / probably causative failings.
- He has repeatedly secured extremely rare riders of 'neglect'.
- His cases often result on Prevention of Future Deaths reports, including to national bodies e.g., the Ministry of Justice.

Furthermore, before joining Doughty Street, Matthew practised at a large defendant set and was regularly instructed to represent institutional Interested Persons (e.g., NHS Trusts). He is therefore in a unique position to advise and represent bereaved families at inquests.

### ***Medical deaths / suicides in custody***

Matthew specialises in medical deaths / suicides in custody.

For example:

- **RJ** (2023) – Article 2 inquest into the death of RJ, a voluntary mental health inpatient, who walked out of the hospital and took her own life by lying down in front of an oncoming train. Staff failed to realise that RJ had left the hospital and not returned and did not trigger the AWOL procedure. **The Senior Coroner identified five possibly / probably causative failings and concluded that RJ's death was contributed to by neglect.** See [here](#) and [here](#). The case was reported by the **BBC**, **The Argus**, **SussexWorld**.
- **FC** (2022) – two-week Article 2 jury inquest into the death of FC, a prisoner at HMP Birmingham, who died from an infected pacemaker. The jury found that the prison staff failed to take sufficient steps to safeguard FC, including insufficient record keeping, handovers and escalation. **There was a serious failure to make a referral to healthcare based on his overall pattern of behaviour and presentation and this amounted to neglect.** See [here](#) and [here](#). The case was reported by the **Birmingham Mail**. The coroner issued a PFD report to the Minister of State, HM Prison and Probation Services – see [here](#).
- **SH** (2022) – Article 2 jury inquest into the death of SH, a prisoner at HMP Highpoint who died of heart failure when he refused to take life-saving heart medication for over six months in protest at his pain medication being withdrawn. During Matthew's questions, the prison healthcare staff admitted that they failed to refer him to the mental health or substance misuse teams, and failed to try to contact his family.

- **RB (2022)** – three-week Article 2 jury inquest into the death of RB, a mental health in-patient, who died from a pulmonary embolus caused by a deep vein thrombosis in her right leg in circumstances where nursing staff failed to respond to her obviously deteriorating physical condition. **The jury found that RB died as result of multiple causative failings and her death was contributed to by neglect.** See [here](#) and [here](#). The case was reported in an investigation into the treatment of mental health inpatients by the **Independent**.
- **PL (2021)** – three-week Article 2 jury inquest into the death of PL, a mental health in-patient who took his own life. **The jury found that 14 causative failings by the NHS trust led to PL's death, and that it was contributed to by neglect.** See [here](#) and [here](#).

## ***Hospital deaths***

Matthew is regularly instructed in inquests involving deaths in hospitals or deaths following medical treatment, where it is anticipated that there will be a follow-on clinical negligence claim. Matthew is happy to represent families in these inquests on a CFA.

For example:

- **MS (2023)** – Article 2 inquest into the death of MS, a six-year-old girl who died from sepsis in hospital where there may have been multiple failings in her care and treatment.
- **SC (2023)** – inquest into the death of SC, a mother and grandmother, who died from a renal bleed following a voluntary biopsy which was never identified by the hospital. **The Senior Coroner concluded that she died as a result of a series of failings by hospital staff which, taken together, were so serious that they amounted to neglect.** See [here](#) and [here](#). The case was reported by the **London Evening Standard** and **Walthamstow Echo**. The Coroner issued a PFD report.
- **AK (2023)** – inquest into the death of AK, a retired Detective Inspector, who died from a massive gastrointestinal haemorrhage caused by anticoagulation therapy, not Covid-19 as the family had originally been told. See [here](#) and [here](#).
  - The case was widely reported in the media: **BBC, ITV News, Hull Daily Mail, The Scarborough News.**

- **BW** (2022) – inquest into the death of BW, a one-day old baby who died in hospital following a delayed caesarean section. The Senior Coroner found that the obstetrician in question did not make clear to the family the seriousness of the situation and the need for an urgent caesarean section. The case was reported by **Eastern Daily Press** and **Dereham Times**. The Senior Coroner issued a PFD report to the hospital – see [here](#).
- **RB** (2022) – inquest into the death of RB, who died because the ambulance service miscategorised a 999 call and failed to send an emergency response for over three hours. **Matthew persuaded the Senior Coroner that this was a ‘gross’ failing and RB’s death was contributed to by neglect**. See [here](#).
- **JB** (2022) – inquest into the death of JB, a young man who died in hospital of hyperkalaemia caused by acute pancreatitis. The coroner found that he was provided with sub-optimal care and there were multiple missed opportunities to escalate his care / treatment. If these had not happened, he would not have died when he did.
- **CM** (2020) – inquest into the death of a six-month-old baby who died shortly after attending A&E due to undiagnosed dilated cardiomyopathy.
- **NK** (2020) – inquest into the death of a man who died from a pulmonary embolism after being seen both by a nurse practitioner in an urgent treatment centre and later by a paramedic.
- **FB** (2020) – inquest into the death of an elderly man who died in hospital from a traumatic penile injury when his indwelling catheter was accidentally pulled by a healthcare assistant.

### ***Police deaths***

Matthew specialises in deaths involving acts or omissions by the police.

For example:

- **BP** (2023) – two-week Article 2 jury inquest into the death of DP, a mother-of-four who died from a bilateral kidney infection whilst detained for more than 16 hours in a police cell. The jury identified multiple failures by the police, and concluded that DP’s death was probably contributed to by a lack of medical intervention. See [here](#) and [here](#).
  - The case was widely reported in the media: **BBC News, ITV News, The Independent, Kent Live, Kent Online**.

- **MW** (2023) – two-week Article 2 jury inquest into the death of MW, a 15-year-old boy who jumped into a river and drowned after police tried to arrest him on a dark and unstable pontoon. The jury concluded that the police took insufficient immediate action to rescue MW, and that this probably contributed to his death. **The jury considered that this was a gross failure, and MW's death was contributed to by neglect.** See [here](#).
  - The case was widely reported in the media: **BBC, Daily Echo, Telegraph, Sun, Daily Mail, Daily Express.**
  - The coroner issued a PFD report to the police force – see [here](#).
- **MC** (2023) – three-week Article 2 jury inquest into the death of MC, a mother-of-two who took her own life in a hotel room whilst suffering from various mental health illnesses. The police carried out a high-risk missing person search but inappropriately sent an urgent request to a neighbouring force by email, rather than by phone. In addition to the family, there were *eight* other Interested Persons, each of which was legally represented. See [here](#) and [here](#). The case was reported by **Surrey Live**.
- **MB** (ongoing) – Matthew is junior to Fiona Murphy in the inquest into the death of MB, a young black man who died after being restrained by the police in his own bedroom. His parents had called 999 for an ambulance because he was having a mental health crisis.

## ***Other deaths***

In addition to the above, Matthew has experience of many other different types of inquests, including those involving road traffic accidents or train crashes.

For example:

- **MS** (2023) - inquest into the death of MS, who died when the chimney of the property next door collapsed and fell through the roof.
- **SL** (2022) – inquest into the death of SL who died in a road traffic accident. Matthew successfully persuaded the coroner to disregard a toxicology report which recorded high blood alcohol levels on the basis that the laboratory had made a series of serious errors (including leaving the samples unrefrigerated for two weeks in high temperatures).

- **LB** (2021) – inquest into the death of LB, a young man who died after being hit by a train whilst on lying on the tracks at a tram station. See reporting [here](#) and [here](#).
- **MG** (2020) – inquest into the death of an elderly lady who died after being run over by a lorry whilst crossing the road at a pelican crossing.

## Clinical Negligence

Matthew specialises in medical cases, and is regularly instructed in complex and high-value clinical negligence claims.

He is very comfortable leading conferences with witnesses and experts, and attending joint settlement meetings and mediations on behalf of claimants. He finds it especially useful to be involved at an early stage, and will produce detailed and robust pleadings that often lead to settlement shortly afterwards. He regularly drafts schedules of loss with special damages over six figures.

Before joining Doughty Street, Matthew practised at a large defendant set and was regularly instructed by NHS Resolution and medical defence organisations.

Matthew is also able to draw on his extensive inquest experience, and is often instructed in cases involving hospital deaths or deaths following medical treatment (as well as medical deaths in custody). Through this line of work, he has become confident and skilled in cross-examining medical expert witnesses.

## ***Selected Cases***

- **Obstetrics and gynaecology.** Matthew has extensive experience of cases arising out of vaginal births, caesarean sections, and hysterectomies. He is currently advising on a claim for the failure to identify and treat placenta accreta.
- **Orthopaedics.** He has been instructed in many cases involving negligent orthopaedic surgery or the failure to diagnose orthopaedic injuries.
- **Emergency medicine.** Matthew has experience of claims involving negligent emergency care. For example, he successfully settled a fatal claim in which the deceased died of chronic blood loss after medical staff failed to monitor her falling haemoglobin levels, and is currently advising on a claim where emergency staff failed to identify that the claimant was having a heart attack, resulting in irreversible injury to the

heart.

- **Missed / delayed diagnosis.** Matthew has considerable experience of missed / delayed diagnosis claims, often involving failures by radiologists. He has secured six-figure settlements in two recent claims. The first was a fatal claim where the deceased died from undiagnosed chronic mesenteric ischaemia, and the second was a delayed lung cancer diagnosis claim where radiologists failed to identify a lesion on two occasions, leading to the development of stage 4 cancer.
- **Surgery.** Matthew is junior for Robin Oppenheim KC in a claim valued at over £13 million for negligent surgery resulting in both a brain injury and a spinal injury.
- **Nursing care.** He has been instructed in various cases involving negligent nursing care, ranging from a failure to correctly remove a patient's catheter to a failure to take proper steps when a patient's pressure sores deteriorated. He has also been involved in a number of cases where nursing staff failed to properly respond to deteriorating NEWS2 scores.
- **Mental health.** Matthew has significant experience of claims related to community or inpatient mental health treatment and support. He is developing a particular specialism in cases involving the poor physical healthcare of patients in mental health units.
- **GP care.** Matthew successfully settled a fatal case where a Healthcare Assistant failed to refer a patient with herpes simplex encephalitis to a GP for further review, and is advising on a claim against a GP for failing to chase a referral.
- **Ophthalmology.** Matthew recently successfully settled a claim for the delayed identification of gonococcus, where the claimant suffered corneal melting and sight loss in one eye.
- **Dental care.** Matthew has considerable experience of dental claims. Recent cases include: a tooth extraction where the palatal root was pushed into the claimant's maxillary sinus; a failure to obtain informed consent for an extirpation / partial pulpectomy; and an alleged failure of two prison doctors to identify and treat periodontal disease.
- **Secondary victims.** Matthew is up-to-date on the recent developments in this area. He is currently advising on a secondary victim claim by a mother whose young child suffered a catastrophic brain injury resulting in locked-in syndrome after repeated failures by his GPs to refer him to hospital. Robin Oppenheim KC is advising on the primary claim.



- **Anticoagulation.** Matthew has been involved in a series of cases involving inappropriate anticoagulation therapy / failures to identify ongoing bleeding.

## Personal Injury

Matthew has experience in almost all types of personal injury law.

He is primarily instructed in multi-track cases involving road traffic accidents, employers' liability, public liability, and occupiers' liability claims.

Matthew regularly advises on prospects of success and quantum and has extensive experience drafting pleadings, including schedules of loss, in complex and high-value cases.

## ***Employers' Liability***

Matthew regularly acts for employees who have been injured in the workplace.

Recent cases include everything from accidents in warehouses / factories / construction sites, to animal attacks or assaults by patients.

Matthew is a specialist in employers' liability claims in the healthcare industry, and regularly represents nurses in claims against their employers. He has particular experience of cases where nurses have contracted diseases at work due to inadequate PPE or unsafe systems of work. For example, he recently succeeded in a claim by a nurse who contracted tuberculosis due to the inadequate provision of PPE.

**Matthew regularly advises on cases where healthcare workers have contracted Covid-19 and welcomes theses instructions.**

**He has also represented families in inquests where nurses have died after contracting Covid-19 at work, including the first known case where Covid-19 was recognised as an industrial disease.**

- **GR (2023)** – Matthew was instructed by the RCN and RCN Law to represent the family of GR, a nurse who died from Covid-19 whilst working at a hospital during the pandemic. The Senior Coroner recorded a short-form conclusion of 'Industrial Disease'. See [here](#) and [here](#).

- The case was widely reported in the media: BBC ([here](#) and [here](#)), **Guardian**, **Mirror**, **WalesOnline**, **Evening Standard**, **Law Society Gazette**, **Nursing Times**, **Independent Nurse**. GR was featured as one of the 'forgotten victims of the pandemic' in the **Telegraph**.

## ***Stress at Work***

Matthew has experience of stress at work claims, including cases involving excessive workloads, bullying and sexual harassment.

Again, Matthew has specialist experience of claims within the healthcare industry. For example, he is currently representing a district nursing team manager in a claim against her former employer where she suffered two breakdowns against a background of excessive work and inadequate staffing levels.

He is very familiar with issues of *res judicata* and abuse of process and can advise on personal injury claims alongside proceedings in an employment tribunal.

## ***Industrial Disease***

Matthew has extensive experience of industrial disease litigation, in particular noise induced hearing loss (NIHL), vibration white finger (VWF) and hand arm vibration syndrome (HAVS).

He is very regularly instructed in NIHL claims, and has developed a particular specialism in military NIHL (M-NIHL) claims against the Ministry of Defence. He is familiar with the specific issues involved in M-NIHL cases.

## ***Public Liability / Occupiers' Liability***

Matthew regularly acts in public liability and occupiers' liability cases.

Recent cases range from minor accidents at supermarkets to catastrophic injuries occurring at swimming pools and gyms. He has been involved in numerous cases involving children who have been injured at schools, colleges and on work-experience placements.

## ***Road Traffic Accidents***

Matthew is regularly instructed in RTA cases, including fatal cases and those involving catastrophic injuries (e.g., traumatic brain injuries).

Having previously trained and practised at a large defendant set, Matthew has vast experience in this area - including cases where fundamental dishonesty is alleged - and is able to offer useful tactical advice to claimants.

### ***Fundamental Dishonesty***

Matthew is experienced in managing cases where fundamental dishonesty is alleged.

For example, he recently successfully defended multiple allegations of fundamental dishonesty in a three-day multi-track trial in Central London County Court, which involved detailed written submissions on FD.

### ***Product Liability***

Matthew has extensive experience of product liability cases – including medical products - going back to when he worked as a solicitor.

For example:

- *Oliver v Acia Bathrooms Limited* (2021) – Matthew successfully represented an actor who was injured by a defective bathroom shower screen. See **here**.
- *Lewin v Glaxo* (2019) – during pupillage, Matthew assisted Alex Antelme KC and David Myhill in a claim relating to a radiological contrast medium, Myodil, which the claimant alleged caused significant injuries decades after its use.
- *Metal-on-Metal hip group litigation* – Matthew was involved in this litigation, both whilst training as a solicitor and during pupillage.

## **Actions Against the Police and Public Authorities**

Matthew is regularly instructed in actions against the police and public authorities, including for assault / battery, false imprisonment, and malicious prosecution. He is familiar with traditional common law claims as well those under the Human Rights Act 1998 and the Equality Act 2010.

Matthew is particularly well-placed to advise on quantum by drawing on his personal injury practice. For example, he is confident advising on cases involving complex injuries or substantial damages for false imprisonment.

## ***Selected Cases***

- Matthew regularly advises on claims for assault / battery and false imprisonment arising out of wrongful arrests (including searches / arrests using police dogs and tasers) or the excessive use of force in prisons.
- He is currently advising on a very complex and high-value claim against a local council for false imprisonment where the claimant (a child with severe learning disability and autistic spectrum disorder, requiring 2:1 care, 24 hours per day) was detained without lawful authority and in circumstances that were not in his best interests for nearly four years.

## **Professional Discipline and Regulation**

Matthew has a busy professional discipline practice and both presents and defends cases before the major healthcare regulators, including the General Dental Council (GDC), Nursing and Midwifery Council (NMC), General Optical Council (GOC), General Pharmaceutical Council (GPC) and the Health and Care Professions Council (HCPC).

He is regularly instructed by the GDC and has appeared before the Professional Conduct Committee, Registration Appeals Committee, Specialist List Appeal Panel, and Interim Orders Committee.

Matthew also represents registrants and has substantial experience defending nurses before the NMC Fitness to Practise Committee.

## ***Selected Cases***

- **GDC v MG** (2023) – presented a case in which the registrant had practised for prolonged periods on two separate occasions without indemnity insurance, and falsely declared to the GDC that he had insurance. All charges were proved (including dishonesty), current impairment was found and the registrant was suspended.
- **GDC v SO** (2022) – presented a case where the registrant had been carrying out tooth whitening procedures without a prescription from a dentist. All charges were proved, current impairment found, and the registrant was suspended for nine months.

- **NMC v JG** (2022) – defended a registrant in a seven-day FTP hearing involving serious clinical errors relating to a very ill child patient and (admitted) dishonesty. Matthew successfully resisted the NMC's sanctions bid to have the registrant struck-off.
- **NMC v NSL** (2021) – represented a registrant in a review hearing and successfully persuaded the panel to revoke an interim conditions of practice order.
- **GPC v DCA** (2021) – represented a registrant in a review hearing and successfully persuaded the FTP committee that his fitness to practise was no longer impaired. The registrant's suspension order was allowed to lapse.
- **HCPC v CR** (2019) – assisted Farrah Mauladad QC in representing a registrant in a case involving serious allegations arising out of her conduct in her personal life. All allegations were struck out at half time on the basis that they did not amount to serious professional misconduct.

## International Law

Matthew is developing an international law practice.

### ***Sanctions***

Matthew is currently advising a group of human right activists on the UK's Global Human Rights Sanction regime with a view to securing sanctions on various individuals.

### ***Business and Human Rights***

Matthew has advised the Labour Shadow Cabinet on Business and Human Rights issues, in particular the deficiencies of section 54 of the Modern Slavery Act 2015 and the need for a new mandatory human rights due diligence (mHRDD) obligation on UK-based companies, consistent with the UN Guiding Principles on Business and Human Rights.