

Rachel Woodward



Call: 2021

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Profile

Rachel has a broad health and human rights practice and accepts instructions across the full breadth of personal injury, clinical negligence, the Court of Protection, inquests and inquiries, actions against the police, and public law. She is an experienced trial advocate and has been instructed, both led and unled, in civil actions and inquests. Rachel's work often involves representing vulnerable individuals seeking redress against the state and private organisations in healthcare related matters.

Prior to commencing pupillage, Rachel was a paralegal to a senior junior barrister at a leading personal injury chambers in London, specialising in complex catastrophic personal injury and clinical negligence work. In this role, Rachel was exposed to multi-track litigation with a particular focus on cases involving traumatic brain injuries. As such, she gained experience working on a wide variety of work, including preparing Schedules of Losses for high value cases. She is able to bring this experience to her current work and is regularly instructed in both fast track and multi-track cases across a full breadth of personal injury and clinical negligence work.

Before this, Rachel worked as a Public Law Caseworker in the immigration and asylum sector for a leading solicitor's firm in London. She gained experience in both asylum appeals and judicial reviews, including those with complex false imprisonment or immigration aspects. In

addition, she assisted with drafting grounds and representations to the Single Competent Authority for victims of trafficking as well as applications for Legal Aid funding.

Education

BPTC, University of Law, London, Very Competent

BCL, Oxford University, Distinction

CTL, University of Geneva, Swiss Mobility Exchange Programme

LLB Law (European and International), University of Sheffield, First Class Honours

Related practice areas

Clinical Negligence, Personal Injury & Product Liability

Actions Against the Police and Public Authorities

Inquests and Public Inquiries

Court of Protection & Mental Health

International Law

Personal Injury

Rachel has built on her previous experience in personal injury work, having been supervised by Christopher Johnson and Nick Brown during pupillage. She is instructed in fast track and multi-track matters in a range of cases, including road traffic accidents, employers' liability and industrial disease claims. She regularly advises on prospects of success and quantum and is able to bring her previous experience to high value claims.

Selected work includes:

- Conducting Costs and Case Management Conferences in multi-track claims.
- Successfully resisting applications for strike out.
- Successfully obtaining default judgment against a Defendant for failure to comply with directions.
- Representing a Claimant at a disposal hearing and successfully beating the Claimant's previous Part 36 offer, resulting in additional damages and indemnity costs outside of the fixed costs regime.

- Drafting Particulars of Claim and Schedules of Loss in high value claims.
- Advising on issues of expert evidence.
- Advising on the suitability of Part 36 offers.
- Representing protected parties at Approval Settlement Hearings.
- Appearing as sole counsel for personal injury trials.

Clinical Negligence

Rachel has experience in drafting pleadings and conducting hearings in a broad range of clinical negligence cases and is available for instructions for written work, preliminary hearings, interim applications and trials. She has particular expertise representing vulnerable claimants, including recent instructions for claims involving the provision of care to a victim of sexual assault and to individuals detained under the Mental Capacity Act.

Court of Protection and Mental Health

Rachel accepts instructions in Court of Protection proceedings. She has experience of welfare matters under s.16 of the Mental Capacity Act 2005 and regularly represents parties involved in challenges to deprivations of liberty in care homes and hospitals under section 21A, having been instructed on behalf of P (via their litigation friends, including the Official Solicitor), family members and local authorities.

Rachel has also gained significant experience working on complex matters, having been supervised during pupillage by Leonie Hirst. She has also assisted other senior members of Chambers in difficult cases regarding the section 21A eligibility requirements and reporting restrictions orders.

Rachel is also developing a practice in Mental Health law and accepts instructions in matters arising under the Mental Health Act 1983.

Actions Against the Police and Public Authorities

Rachel is instructed in actions against the police, including claims for assault and battery, false imprisonment and trespass. She is able to bring her experience in both personal injury and public law and is familiar with claims under the Human Rights Act 1998 and the Equality Act 2010.

She is able to assist in claims against public authorities for breaches of Article 2 ECHR, often arising out of inquests, and Article 5 ECHR, following periods of unlawful detention. Rachel has experience of drafting complex Schedules of Loss in these cases, assisted by her previous work in both personal injury and public law.

Inquests and Inquiries

Rachel represents bereaved families at inquests, in particular where there are issues around the provision of health services in the community, or the deceased was deprived of their liberty in hospital, prison or police custody. She has worked with families across all stages of the inquest process to secure positive outcomes ahead of the final hearing, as well as being instructed as sole counsel and led as junior counsel in final hearings.

International Law

Rachel has a strong academic background in public international law, having completed a specialist undergraduate degree in European and International Law. This included a year at the University of Geneva, where she undertook modules in conjunction with the International Committee of the Red Cross and the Special Rapporteur on extrajudicial, summary or arbitrary executions.

Rachel also worked as a Research Assistant for Greenpeace East Asia during this time, looking at systemic international legal challenges with a particular focus on the right to a healthy environment.

She is using this experience to develop her international human rights law practice and recently assisted with research for an international report into the treatment and detention of political prisoners.