

# Barrister Profile

## Ana Samuel



Ana specialises in Clinical Negligence, Personal Injury and Inquest Work (both freestanding and those linked to clinical negligence and personal injury claims).

In addition Ana undertakes Employment Law work, in particular cases linked to the health care industry.

### **Year of call: 2004**

Appointments: Assistant Coroner to Birmingham and Solihull

Memberships: PIBA, Coroners' Society of England and Wales

Publications: 1) Clinical Risk: 'Habeas Corpus? Body or Evidence?' 2) Clinical Risk: 'She should have died hereafter.'

Affiliations: Pro-vidé Law and Complete Mediation

Other Qualifications: Mediator

Ana is willing and able to provide testimonials and, if required, is more than happy to provide in house training. She also writes articles and presents seminars on behalf of Pro-vidé, who deliver quality case notes, articles, training and events to the legal community.

### **CEDR accreditation**

Attorney General Regional Panel Counsel B

### **CLINICAL NEGLIGENCE**

Ana frequently represents both Claimants and Defendants (NHSRes (formerly NHSLA) and private individuals) in clinical negligence actions undertaking advisory, drafting and advocacy work. Further Ana provides representation at Mediation.

Ana deals with all nature of hearings from

interlocutory matters through to JSM and final hearing.

The majority of her caseload is high value and falls within the multi-track. She has handled cases in excess of £1.2 million and has appeared against specialist Silks.

Whilst Ana has undertaken many different types of cases covering most medical disciplines examples of cases undertaken include:

- Brain injury cases;
- Cauda Equina;
- Cerebral palsy and other infant injuries;
- Tears during childbirth;
- Disruption to the pelvic girdle following childbirth;
- Development of Compartment syndrome following childbirth;
- Ophthalmic/Ophthalmology related claims;
- Failure to diagnose heart failure;
- Failure to refer a patient under the NICE cancer guidelines;
- Failure to provide nutritional advice following a gastric bypass;
- Failure to consent in many different contexts;
- Overdose of medication;
- Failure to section under the mental health act;
- Negligent decompression surgery;
- Negligent Hip replacement;
- Delay and/or failure to diagnose;
- Surgical negligence in a wide range of clinical specialisms;
- Dental negligence;
- Cosmetic surgery;
- GP negligence;
- Failure to advise patient of alternative less invasive options;
- Failure to provide antibiotics resulting in fatal sepsis;

Fatal accidents claims based on clinical negligence actions.

Whilst Ana is more than competent to act on large value claims she is also willing to be led on more complex high value cases and has had past experience of being involved in led cases.

### **PERSONAL INJURY**

Ana is regularly instructed in multi-track matters in the following areas:

Road traffic incidents;  
Occupiers' Liability;  
Public Liability;  
Employers' Liability including assault cases;  
Fatal accident claims.

In addition to case management, interlocutory hearings, advisory and trial work, Ana frequently undertakes applications involving all aspects of civil procedure including expert evidence, disclosure, strike out, limitation, resiling from admissions, summary judgment, setting aside default judgments, cost CMCs and cost arguments.

Ana regularly deals with high value claims acting on behalf of both Claimants and Defendants.

Ana has a wealth of experience dealing with NHRes employers' liability cases.

### **INQUESTS**

Ana regularly represents various interested parties in the Coroners Court, including but not limited to the family, care homes and NHS Trusts.

Given her experience in Clinical Negligence and Personal Injury, a large proportion of inquests undertaken have a civil claim pending, for which she continues to have conduct of post inquest.

Due to her experience working as an Assistant Coroner for Birmingham and Solihull, Ana is also able and willing to deal with freestanding inquests where no civil claim is contemplated.

Ana deals with both Jamieson and Middleton (Article 2) inquests as well as those involving a Jury and is able to provide written advice in addition to representation at hearings.

Clients have found it invaluable having an advocate who has first hand experience as a Coroner of running a coronial investigation from initial referral

through to inquest.

Ana provides Mock Inquest sessions for her Instructing Solicitors. Some of the feedback can be seen below. If you feel you may benefit from a session please contact us.

### **Mock Inquest Training Feedback**

'I thought it was excellent. It felt very 'real' – I certainly gained a valuable insight into the process, and walked away with it buzzing in my head re the importance of documentation which I have reiterated to my team.'

'The event was well presented and gave a vital insight as to the fundamental core values that form the basis of an Inquest.

The mock case allowed clinicians and the wider audience to understand that their actions on the ward or omissions of certain action could result in the case being heard at Inquest, the HM Coroner Ana that attended gave a wonderful synopsis of the role the HM coroner plays and the purpose of the Inquest. This was a very informative event.'

### **MEDIATION**

Given the growing trend for alternative dispute resolution, particularly in the Clinical Negligence forum, Ana is a fully qualified mediator willing to undertake Evaluative Mediation in the fields of Clinical Negligence, Personal Injury and Employment Law and Facilitative Mediation in all areas of dispute. For more information please see our dedicated website.

### **OTHER**

Ana is a founding member of Complete Counsel, Complete Mediation and Pro-Vide and is committed to making the Bar and provision of services current and innovative.

Recommended in Chambers & Partners 2019 'She is extremely knowledgeable and pays attention to every detail of the case so she can be relied upon to spot something that I may have missed.' "She is great with clients, particularly in conference – she manages expectations and brings a personal touch."

Ana E Samuel  
Bar Council Membership No: 47123  
VAT Registration: 867109504  
ICO: Z9185365

For further practice details of Ana please contact Claire Labio or Emma Wall.

