

# Vanessa Cashman

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## AREAS OF EXPERTISE

Clinical Negligence, Personal Injury, Inquests, Costs, Sport

Vanessa specialises in clinical negligence. She acts predominantly for claimants and her practice encompasses a huge range of medical specialties. She has particular expertise in birth and obstetric injuries, spinal injury and brain injury.

Vanessa is ranked for clinical negligence in both the Legal 500 and Chambers & Partners. She is known for her warmth and sensitivity and her extensive medical knowledge.

She also has considerable experience in personal injury, inquests and costs.

## Clinical Negligence

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Clinical negligence is Vanessa's principal area of practice. She predominantly acts for claimants but also accepts instructions on behalf of defendants.

A significant proportion of Vanessa's work is birth injury and obstetric injuries. She is frequently led and has extensive experience of both liability and quantum disputes in such cases. She has acted in numerous cerebral palsy cases alongside William Featherby QC:

Family of disabled child receive £8m High Court settlement following maternity failings at Royal Glamorgan Hospital | ITV News Wales

Blackpool hospital trust pays out £6m in baby brain injuries case – BBC News

Royal Preston Hospital birth family receives £5 million settlement after poorly baby did not receive neonatal care for

almost a day | Lancashire Evening Post ([lep.co.uk](http://lep.co.uk))

£Multi-million settlement approved for birth injury more than 30 years ago – Diane Rostron

Lancashire Evening Post, 7th December 2020 ([dianerostron.co.uk](http://dianerostron.co.uk))

She appears at interim hearings to handle applications for interim payments and approvals.

She acted as junior to William Featherby QC in the ground-breaking case of *RE (a minor) v Huddersfield and Calderdale NHS Foundation Trust* [2017] EWHC 824 (QB) and is regularly instructed on secondary victim claims within the clinical negligence setting.

She also has extensive experience of spinal injury cases and is frequently led in these instructions.

Vanessa's cases have included:

- Delayed cancer diagnoses (including cervical, breast, lung, oropharyngeal)
- Cosmetic surgery (including all aspects of breast surgery, rhinoplasty, brachioplasty, abdominoplasty and labiaplasty). She appeared in *Castello v Gonschior* [2021] EWHC 2742 (QB), a rhinoplasty case.
- Failure to diagnose and treat strokes
- Vaginal mesh cases
- Extravasation injuries
- Awareness under anaesthetic cases
- Delayed diagnoses of orthopaedic injuries
- Inappropriate and substandard surgical treatment

She is also frequently instructed by families for inquests arising out of deaths in the clinical setting. She is then instructed on the civil claims.

## **Personal Injury**

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Vanessa's personal injury practice incorporates all aspects of motor, employers' liability and public liability. She acts

for claimants and defendants in both liability and quantum disputes. She is an experienced trial advocate and is frequently led. Her cases have involved a huge variety of injuries, including chronic pain, fibromyalgia and subtle brain injury.

She has developed an extensive practice in highways cases and is currently co-writing a practitioner text on all aspects of highways law and practice. In this field, she acts predominantly for highway authorities but also accepts instructions from claimants.

She has also appeared in a huge variety of public liability cases, including claims arising out of an allegedly defective football pitch, inhalation of carbon monoxide from a defective boiler, burns arising from the use of public transport and claims under the Defective Premises Act 1972. She also appeared in numerous cases involving all manner of slips and trips. A recent case involved a football being kicked over a fence enclosing a five-a-side pitch and knocking an elderly lady over.

She has acted in a number of cases involving the liability of a school, including an injury caused to a child in PE by a teacher, an injury caused to a child by another child and an injury caused to a member of staff by a child.

Vanessa's practice also includes numerous aspects of employers' liability claims. She acted as junior counsel to Andrew Roy in the recent stress at work case of *Marsh v Ministry of Justice* [2017] EWHC 1040 (QB) which involved a three-week trial before Thirwall LJ. She was also instructed as a second junior in the case of *Wembridge and Others v East Sussex Fire and Rescue Service* [2013] EWHC 2331 (QB) alongside Frank Burton QC and Andrew Roy, in which fire officers were suing the fire service in respect of injuries caused in an explosion of a fireworks factory. More recently, she has acted for a care home in a case involving a service user with severe learning disabilities who injured a temporary worker.

## **Inquests**

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Vanessa has appeared at numerous inquests and pre-inquest reviews on behalf of families and other interested persons. She has acted in article 2 inquests and inquests with juries. The inquests have involved all types of case, including deaths arising out of clinical negligence, road traffic accidents, accidents at work and neglect. Her recent inquests included:

### Clinical negligence

- Single lung transplant, primary graft dysfunction leading to death
- A toddler with congenital cardiomyopathy with suspected mitochondrial disorder who suffered three cardiac arrests. He was treated for viral infection rather than myopathy. The third arrest was fatal.
- A 61- year old lady with a very complex medical history, admitted with a recurrent history of urinary tract infections. Underwent surgery (a colposuspension, a clam cystoplasty and reimplantation of the ureters) which eventually led to her becoming septic and developing necrotising fasciitis. She died of multi organ failure.
- Death of a three month old baby girl as a result of liver failure.
- A lesion on an adrenal gland was thought to be metastatic tumour from breast cancer. The operating surgeon misinterpreted the vessels and ligated a crucial artery supplying blood to all internal organs. The error was not picked up and the patient died as a result of ischaemia.
- Abdominal compartment syndrome developed following routine surgery leading to widespread ischaemia and death

### Road traffic accidents

- Ten- day inquest into the death of an undercover police officer who was pursuing a suspect when a car pulled into his path

- Seven- day inquest into the death of a mental-health patient who absconded from hospital
- The Bestival Bus Crash inquest into the death of two teenagers and the driver
- Inquest into the death of a mental-health patient who hijacked an ambulance during his transfer to a specialist hospital. Vanessa has been instructed to act in the civil claim arising out of this incident.
- Inquest into the death of a cyclist who hit a pothole and was then hit by a vehicle which was overtaking

Many of these inquests have generated instructions to act in the civil claim.

## Costs

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Vanessa is a member of Chambers' costs team and regularly appears in cost hearings. These include costs and case management conferences, costs applications, summary and detailed assessments. She is very familiar with the MOJ Protocols, QOCS and the attendant costs rules and is often instructed to deal with technical costs questions.

## Qualifications & Awards

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Bar Vocational Course (Very Competent), City University, London

Graduate Diploma in Law (Commendation), City University, London

B.A.(Hons) Music (First Class), St Hilda's College, Oxford

Lord Denning Scholarship, Lincoln's Inn

Music scholarship (St Hilda's College, Oxford)

## Memberships

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PIBA

AvMA

PNBA

## Directories

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Legal 500 – Tier 3 (2019, 2020, 2021, 2023, 2024)

Chambers & Partners – Band 4 (2022, 2024)

*Vanessa Cashman is a thorough and tenacious advocate, always clear and direct in advising and supporting clients and solicitors alike.* – Chambers & Partners, 2024

*Vanessa is an exceptional barrister who is extremely intelligent and secures excellent results for her clients.* – Chambers & Partners, 2024

*Vanessa is lovely with clients, understands complex issues and is clear in her advice.* – Chambers & Partners, 2024

*Vanessa combines keen analytical skills with genuine empathy. She has proven herself capable of dealing with some extremely complicated clinical negligence cases.* – Legal 500, 2024