

SAM HARMEL | MANCHESTER, LEEDS & BIRMINGHAM

Year of call: 2013

Qualifications: BA in English Literature
& Philosophy

Clerked by: Paul Clarke Aaron Smith

AREAS OF EXPERTISE:
Inquests Serious Injury Clinical
Negligence & Healthcare



Profile

Prior to being called to the Bar, Sam qualified as a Solicitor and then Solicitor-Advocate at a leading national law firm (Partner and Head of Advocacy 2006 - 2015) and a Partner Member of an international law firm (2015 - 2018). He was called to the Bar in 2013 and practised as in-house Counsel before joining Kings Chambers in 2018.

Sam has experience in all manner of personal injury cases ranging from Part 8 claims (which he has undertaken for large insurers for a number of years), road traffic accidents, accidents at work, fatal claims, defective products and occupiers' liability cases for both leading national Claimant and Defendant firms. Sam has assisted in the development of policy and procedure for both insurers and Claimant firms.

Sam has regularly represented bereaved families and other Properly Interested Persons at inquests for 18 years. He has appeared in Coroners' Courts across the country in a broad spectrum of cases, including: Article 2 inquests (including a 6 week inquest before a jury, culminating in a conclusion of unlawful killing/suicide); an inquest into a death from anaphylaxis following the use of hair dye; infant deaths, road traffic deaths (one of which involves whether a defective police car engine contributed to the death of a Police Officer); deaths relating to defective products; suicides; and deaths within the context of care homes and hospitals.

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Areas of Expertise

Inquests

Sam has regularly represented bereaved families and other Properly Interested Persons at inquests for 18 years. Appearing across the country in a broad spectrum of cases, including: Article 2 inquests (including a 6 week inquest before a jury, culminating in a conclusion of unlawful killing/suicide); an inquest into a death from anaphylaxis following the use of hair dye; infant deaths, road traffic deaths (one of which involves whether a defective police car engine contributed to the death of a Police Officer); deaths relating to defective products; suicides; and deaths within the context of care homes and hospitals.

Sam understands the importance of becoming involved at the earliest stages of an inquest so as to determine the framing of the inquiry to address the concerns of his client. He will then continue to support his client through any civil claim which may arise following an inquest.

Sam's extensive experience of assisting bereaved families mean that he is acutely aware of and sensitive to the needs of his clients, especially in cases involving the deaths of children or the suicide of a loved one.

Below is a sample of the types of inquests Sam has been involved in: -

M v NHS Hospital Trust

Sam represented the family of M at an Inquest into her death. M died as a result of an aggressive cancer which had been identified by tests 7 months before her death. However, neither the patient nor her G.P. were informed of the diagnosis. As a result there was a missed opportunity to commence treatment which would have prolonged her life and ameliorated some of the symptoms she experienced. The Coroner concluded that M

died of natural causes contributed to by neglect.

C & The Estate of X v Police, Probation, NHS Trust & G.P.

A, the ex-partner of X broke into her house and started a fire resulted in the tragic deaths of X and X's son, B. A, having poured petrol over himself also died in the incident. X's daughter, C suffered catastrophic burns and X's other son, D, suffered PTSD. Sam, along with Leading Counsel, represented the Estate of X.

Sam dealt with several Pre-Inquest Reviews in which scope, disclosure, confidentiality, and Jury were considered. Following an Article 2 Inquest lasting for 6 weeks, the Jury returned a Narrative Conclusion of Unlawful Killing (for X and B) and Suicide for A. The civil matter, which Sam dealt with, settled for almost £500,000.

A & The Estate of T v Care Home

Sam represented A, daughter of the deceased T who, while a resident of a care home sustained a fracture of the right femur leading to sepsis and death. The Coroner returned a conclusion of accidental death following a 3 days inquest. The civil matter on which Sam advised, settled for £15,000.

Parents of baby S v X NHS Hospital Trust

Sam represented the parents of a baby (S) at an Inquest into his death. Baby S died shortly after he was born following considerable delays and inadequate care in hospital. The Coroner concluded that S died of natural causes contributed to by neglect. Collective systemic and individual failures contributed to the death.

X v NHS Hospital Trust & Others

Sam acted for the parents of L (an 11-month-old baby) who died of septicaemia. During the 2 week inquest, evidence confirmed that there had been a catalogue of failures which resulted in extensive changes being made to hospital procedure.

Serious Injury

Sam practises in the fields of personal injury and clinical negligence. He specialises in civil litigation and has considerable experience in employers' liability, public liability, road traffic collisions, clinical negligence, catastrophic injury and fatal claims

Clinical Negligence & Healthcare

Sam accepts instructions in respect of all aspects of clinical negligence, ranging from misdiagnosis to negligent treatment. Sam is more than happy to discuss cases prior to formal instruction being sent.

Significant Cases

X v NHS Foundation Trust (2019) - Sam represented the parents of baby M who died *in utero* following alleged failures to properly interpret fetal scans. Liability was denied. At a Joint Settlement Meeting the case settled for £62,000.

Memberships

Association of Personal Injury Lawyers

Lincoln's Inn

Qualifications

Legal Practice Course: Manchester Metropolitan University (2002 - 2004)

Common Professional Examination, College of Law (2000 - 2001)

BA in English Literature & Philosophy(2:1): University of Manchester (1997 - 2000)