

# Matthew Baron

Year of call 2020

✉	leanne.martin@kingschambers.com
☎	0345 034 3444



Matthew joined Kings Chambers at the start of October 2020 as the Personal Injury and Clinical Negligence pupil and was supervised by Stephen Maguire and Toby Coupe.

Since becoming a tenant at Kings, Matthew has developed a broad practice within Personal Injury, Clinical Negligence, Professional Negligence, and Coronial law. He has experience of representing both Claimants and Defendants across a wide variety of cases and hearing formats, including acting in Trials, Costs and Case Management Conferences (CCMCs), Applications, Disposal Hearings, Infant Approvals, and claims that have come through the new Official Injury Claim (OIC) system.

Matthew also frequently accepts instructions to draft papers and to provide opinions on a range of topics within Personal Injury and Clinical Negligence law, from the level of the MOJ portal through to the multi-track. Matthew has advised both Defendants and Claimants in Public and Employers' Liability cases, RTAs, GDPR compliance cases, and Fatal Accident claims.

In addition to accepting instructions in all areas of pure Personal Injury and Clinical Negligence, Matthew has also gained significant Inquest experience; he has acted for families and local authorities across a range of inquest types, including cases involving alleged breaches of Article 2 of the European Convention on Human Rights. Matthew has acted in several cases involving the prisons service, care provided by local health trusts, drug and alcohol rehabilitation and mental health services, and cases in which there have been significant delays in diagnosis and treatment resulting from measures implemented during the COVID-19 pandemic. Matthew continues to accept new instructions to advise and represent the families of deceased parties in the Coroners' Courts, at both Pre-Inquest Review Hearings (PIRHs) and Inquests, and is available to further sustain his involvement in associated civil actions thereafter.

Matthew has also recently started accepting instructions in relation to Data Protection legislation – representing local authorities and private business in claims arising out of alleged mishandling of private information. Whilst Matthew's current experience of GDPR cases has always had a degree of overlap with his Personal Injury practice, he remains willing to accept instructions to represent both Claimants and Defendants in all forms of GDPR related litigation irrespective of the nature of the damages and the types of remedy being sought.

Before being called to the Bar in 2020, Matthew studied Physics and Geology as an undergraduate and then subsequently earned his Ph.D. in Earth Sciences and his graduate diploma in law.

## Expertise

### Clinical Negligence and Healthcare

Matthew regularly undertakes work for both Claimants and Defendants across a broad spectrum of Clinical Negligence cases. Matthew is currently accepting instructions to draft pleadings, defences, questions to experts, and any other court documents in Clinical Negligence, as well as to provide opinions and advices to

all types of prospective party.

More recently, a fair proportion of Matthew's Clinical Negligence experience has developed from his role representing families and other dependants of those who have died whilst receiving medical treatment or in hospital care. Matthew regularly serves as an advocate for families in the Coroners' Courts and typically continues thereafter to advise and represent the families in the subsequent civil actions. This type of work in particular has given Matthew much exposure to and experience of acting in some of the more difficult and emotionally charged areas within Clinical Negligence law.

Matthew continues to maintain a wide area of active interest within Clinical Negligence, however, and is not restricting his practice to fatal claims alone. Matthew is also willing and able to pick up new instructions in Clinical Negligence at any stage of the litigation process, from Pre-Action, through Interlocutory Hearings, to Trial.

## Inquests

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Matthew regularly acts for families and other interested parties (primarily healthcare professionals and local authorities) across all types of Inquests. He has experience of acting in both Article 2 and non-Article 2 cases of varying complexity and scope.

*"Matthew has now handled several inquests for us ranging from the straightforward to complex Article 2 jury claims. He is always thoroughly prepared and is an impressive advocate. Importantly, the clients who have appeared as witnesses in the cases he has handled have been universally complimentary about his insight into their concerns and his reassuring and supportive manner."*

### Particular areas of experience

- Psychiatric treatment, particularly decisions as to discharge
- Deaths in custody
- Self-inflicted deaths
- Deaths involving drug/alcohol misuse
- Delays in diagnosis and missed opportunities to escalate in clinical settings

### Notable Cases

- Inquest touching the death of a young mother following her release from the care of a local Mental Health Service; the authority had not communicated with the deceased's family prior to discharge and had not adequately followed up on a previous serious incident reported within the ward setting – Matthew represented the family in this week-long inquest, the outcome of which included the making of a Regulation 28 Prevention of Future Deaths report as well as the Coroner writing a letter to the then Health Secretary, Sajid Javid, recommending a nationwide review of safety protocols within mixed-sex mental health wards.
- Inquest touching upon the death of an inmate at HMP Manchester – a jury inquest that focused primarily upon the supply and use of controlled substances within the prison setting.
- Jury inquest into death of an inmate at HMP Durham who complained of bullying and mistreatment.
- Inquest touching the death of a farmer who died of respiratory disease resulting from poor living conditions at his home – Matthew acted for the family and the executors of the deceased estate in this matter, following concerns that the care provided by the local trust included numerous and substantive delays; the Coroner described "significant delays" in reporting in the matter and criticised elements of the trusts' care provision.
- Inquest touching upon the death of a man with a history of substance misuse after a fatal overdose of fentanyl that was oversubscribed by a General Practitioner.

### Other Training and Experience

- MBL Seminar Series: How to Make the Most of Your Pre-Inquest Review

## Serious Injury

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Matthew acts for both Claimants and Defendants across all formats and in all tracks, from stage 3 hearings to multi-track cases. Matthew has a national practice with respect to trial work and other forms of advocacy, and he regularly accepts instructions for parties seeking representation, advice, and drafting services. Matthew also regularly acts for insurers, local authorities, and healthcare trusts in all stages of the litigation process.

### Particular areas of experience

- Road traffic accidents (RTAs)
- Credit Hire claims
- Official Injury Claim (OIC) cases
- Infant Approvals
- Occupiers' Liability and Defective Premises Act cases
- Employers' Liability
- Cases involving Fundamental Dishonesty

## Notable Serious Injury cases

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Secured a finding of Fundamental Dishonesty against a Claimant in a claim for loss of earnings and personal injury where the CRU certificate of work benefits alone exceeded £60,000.

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Represented a Claimant who was left with permanent mobility issues and complex psychological sequelae following a road traffic accident. The matter was settled by the Defendant before trial.

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Represented an energy firm in a claim against it for pure psychiatric damage resulting from a breach of GDPR provisions – the Claimant's claim for pure psychiatric harm was successfully dismissed.

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Succeeded in a claim brought on behalf of a minor by her family against a company operating a holiday park following an injury to the Claimant on a park ride during a family holiday.

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Successfully resisted a finding of Fundamental Dishonesty being made against a client Claimant who had a complex medical background that had not been fully disclosed to all of the instructed experts.

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## Memberships

- The Honourable Society of Gray's Inn
- North Eastern Circuit

## Qualifications

- University of Law, Leeds: BPTC (2020) – Outstanding
- BPP University Law School: Graduate Diploma in Law (2019) – Commendation
- University of Cambridge (Christ's College): Ph.D. Earth Sciences (2018)
- University of Aberdeen: B.Sc. Physics & Geology (2013) – Joint Hons

## Awards

- The Lord Bingham Scholarship (BPTC), The Honourable Society of Gray's Inn (2020)
- David Karmel Scholarship (GDL), The Honourable Society of Gray's Inn (2019)
- Physics Laboratory Research Project Prize, University of Aberdeen (2013)
- Edinburgh Prize, Physics, University of Aberdeen (2013)