

## KRITI UPADHYAY

CALL: 2011

"She is bright, energetic and fully committed to any case that comes before her. Her advice in writing and conference is crystal clear, her empathy with clients visible."

*Client testimonial*

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Kriti is a specialist personal injury, clinical negligence, professional discipline and Court of Protection practitioner, acting on behalf of claimants and defendants. She joined Chambers in 2016 after successfully completing her pupillage under the supervision of John Snell. Kriti has been commended by instructing solicitors for her preparation, attention to detail and her advocacy skills.

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### PRACTICE AREAS

- Clinical Negligence
  - Personal Injury
  - Professional Discipline
  - Court of Protection
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### CLINICAL NEGLIGENCE

Kriti has experience of advising on a wide range of clinical negligence cases. She regularly appears in court instructed in matters by both claimants and defendants, such as interlocutory hearings in fast track and multi-track cases, CCMCs, and inquests. She has been developing her clinical negligence practice since joining Chambers as a tenant, including drafting pleadings for multi-track cases, advising in conference with experts, and drafting questions for joint expert reports. She has also recently done two Article 2 jury inquests in difficult clinical negligence cases, each involving a number of medical professionals giving evidence at length over four days.

During her pupillage Kriti gained extensive experience of clinical negligence work. Cases she worked on included high value cases and those with complex issues of causation and multiple medical experts. She also observed the full range of conferences and hearings for these cases, from settlement conferences, interlocutory applications and CCMCs to trials involving cross-examination of medical experts. Written work undertaken by Kriti as a pupil included advices on liability and quantum; drafting particulars of claim; schedules of loss, and research on a range of issues including Part 36 offers and material contribution to injury.

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### PERSONAL INJURY

Kriti is developing a busy personal injury practice, and appears in court regularly on a range of hearings including fast track trials, small claims, Stage 3 hearings, infant settlement approvals and applications. She is routinely asked to act in cases involving matters such as occupiers' liability, public liability, employers' liability and road traffic accidents, for both claimants and defendants.

Kriti has a growing practice in the area of fundamental dishonesty, and has been instructed to act in a number of fast track trials where this has been an issue. Kriti has also since 2016 done a number of regulatory hearings before the Nursing and Midwifery Council, lasting up to 7 days, involving a range of allegations including dishonesty, and where there have been expert witnesses giving evidence.

During her pupillage with John Snell, Kriti drafted advices and pleadings in several Animals' Act cases, as well as attending a number of Animals' Act trials where complex issues of liability arose. She also observed and did paperwork for other members of the team in the areas of industrial disease, employers' liability, fatal accidents, and has been asked to advise in matters involving the MIB.

Kriti is happy to work on a nil-uplift CFA basis in appropriate cases.

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## PROFESSIONAL DISCIPLINE

Kriti appears before the Nursing and Midwifery Council's professional disciplinary panels on a range of cases, and has a rapidly growing practice in the area of professional regulation. She regularly represents nurses and midwives at NMC hearings lasting 5 or more days, on a range of complex allegations, including clinical concerns, misconduct and health issues. Kriti is developing a particular specialism in cases involving allegations of dishonesty.

During her pupillage, Kriti also observed General Dental Council and Care Council For Wales proceedings.

Prior to starting her pupillage, Kriti was employed by the Nursing and Midwifery Council as a case preparation officer and later as a paralegal within the Regulatory Legal Team. Kriti gained experience of professional disciplinary law and procedure, including substantive and interim order hearings, complex and multi-registrant cases, High Court interim order applications and appeals, as well as Judicial Review proceedings. Kriti assisted with a number of high profile cases and appeals during her time at the NMC. She became experienced in interacting sensitively with vulnerable witnesses and registrants, as well as handling expert medical evidence in cases raising issues of causation

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## COURT OF PROTECTION

During pupillage, Kriti gained some experience of Court of Protection work. Prior to commencing practice Kriti completed an LLM in Medical Law at King's College London, specialising in mental capacity and mental health law. She is keen to build on this academic background, and is developing a Court of Protection practice in addition to her personal injury, clinical negligence and medical disciplinary work. Kriti's strong skillset in these areas gives her a particular interest in health and welfare cases. She has extensive experience of dealing with vulnerable clients and complex medical evidence. She routinely deals with expert evidence, both in conference and when questioning medical professionals and experts in court.

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## EDUCATION:

- BPTC, Kaplan Law School, London
  - LLM (Distinction), Medical Law, King's College London
  - BA (Hons), Jurisprudence, University of Oxford
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