

Kate Legh

Call 2018



klegh@2tg.co.uk



+44 (0)20 7822 1200

Kate's practice focuses primarily on product liability, property damage, employment, clinical negligence, insurance and commercial disputes. Kate has a particular interest in cases involving issues of jurisdiction and conflicts of law.

Kate is currently instructed for a car manufacturer in the emissions litigation, led by Neil Moody KC, Sonia Nolten KC and Ben Phelps.

Kate is a member of the Attorney General's 'Junior Junior' scheme and was instructed in the Brook House Public Inquiry.

In 2018-19, Kate was judicial assistant to Lord Justice Hamblen in the Court of Appeal, where she worked on cases including *Merricks v Mastercard* [2019] EWCA Civ 674 and *Manchester Building Society v Grant Thornton* [2019] EWCA Civ 40.

Before joining Chambers, Kate graduated from the University of Oxford with a First Class degree in History. She then taught History at GCSE and A Level in an Academy in South Croydon on the Teach First programme.

Expertise

Product Liability

Kate is instructed in a range of product liability work, and is particularly interested in medical products cases.

Kate is currently instructed for a car manufacturer in the emissions litigation, led by Neil Moody KC, Sonia Nolten KC and Ben Phelps.

Kate also frequently advises in respect of defective electrical equipment and gas appliances under the Consumer Protection Act and Electrical Equipment Regulations. She has also advised in cases involving the impact of Brexit on product liability law.

Kate has experience of vaginal mesh claims.

Kate recently considered the ECJ's decision of *VI v KRONE – Verlag Gesellschaft mbH & Co KG* (Case C-65/20) which concerned the ambit of the Product Liability Directive. See [here](#).

Property Damage

Kate has a busy and varied property damage practice. Kate is regularly instructed by Claimants and Defendants, often in relation to subrogated matters. Kate is also instructed directly by loss adjusters.

Kate recently acted, led by Daniel Crowley, for the Claimants in a claim against a builder, project manager and architect in respect of the defective construction of a residential property. The case went to trial in October 2022 before Jefford J. Judgment is awaited.

As sole counsel, Kate regularly settles pleadings and advises in respect of all aspects of property damage claims.

Kate is also regularly instructed by Network Rail in claims brought in respect of Japanese Knotweed encroachment.

Notable Property Damage cases

Vainker v (1) Marbank; (2) Mercer & Miller; and (3) SCD

Acting for the Claimants, led by Daniel Crowley in this complex professional negligence dispute brought against the builder, project manager and architect of a substantial new build house. Judgment is awaited.

MMU v SRM and TCUK

Acting, led by Timothy Killen, for one of the Defendants in a claim in respect of property damage alleged to have occurred as the result of the defective or negligent manufacture, supply, installation and commissioning of air conditioning chiller units in a large commercial building.

X v Y

Provided ongoing advice in relation to an application for pre-action disclosure on behalf of four intended claimants in a claim worth in excess of £6million.

CF v Anwyl Construction Company

Acting for the successful Claimants in a claim in respect of the defective construction of a new build property (settled at mediation).

Employment

Kate has experience in a wide range of employment cases, including those involving bullying, harassment, redundancy, unfair dismissal and disability discrimination. Kate accepts instructions across the full spectrum of employment work and acts for both claimants and respondents.

Notable Employment cases

JG v GCC

Acting for the successful Respondent at trial in a claim for disability discrimination and victimisation.

ST v ECC

Acting for the Respondent in a claim for constructive dismissal and disability discrimination.

GB v WH

Acting for the Respondent in a preliminary hearing deciding the issue of disability.

TH v MDL

Advising a claimant in respect of the settlement of their claim for unfair dismissal (redundancy).

SR v A School

Acting for the claimant, a teaching assistant, in a claim for constructive dismissal and victimisation on trade union grounds.

MK v SG

Acting for the respondent employer in a claim for unfair dismissal, discrimination and harassment.

DM v NHS England

Led by Rehana Azib, for the respondent in a claim for unfair dismissal and discrimination.

B v M

Acted for the respondent employer in a claim for unlawful deduction of earnings.

Kate is also interested in the overlap between personal injury and employment.

Private International and Travel Law

Kate has a busy travel practice and regularly appears in cases where jurisdiction and/or foreign law are in issue. She has particular experience in advising in respect of Rome II.

Kate is currently acting in litigation arising out of the cancellation of holidays and school trips as a result of the Covid-19 pandemic. See [here](#)

Notable Private International and Travel Law cases

Advising a foreign hospital in respect of a jurisdiction challenge in the High Court in a clinical negligence claim.

Advising in relation to the domestic effects of foreign judgments.

Acting for insurers in litigation to recover damages for cancelled holidays under the Package Travel Regulations.

Advising in respect of the scope of the Montreal Convention in relation to a personal injury claim in an airport.

Working alongside Andrew Miller KC on a US\$100m insurance arbitration governed by foreign law.

Insurance

Kate has acted and advised in a range of insurance disputes, including in relation to Covid-19 business interruption insurance, and other coverage issues.

Notable Insurance cases

X v Y

Advising the insurer in respect of the merits of invoking fraud in a coverage dispute.

S v Z

Acting for the insurer in ongoing proceedings in a coverage dispute relating to lost or stolen goods.

L v H

Acting for the insurer in a claim for the recovery of damages arising out of contractors' breach of contract leading to substantial property damage when the drainage system in a large residential building was damaged.

B v K

Acting for the insurer in a claim arising out of breach of a contract to transport heavy goods machinery.

W v KBC

Acting for the insurer in a claim for a security contractor's negligence.

IC v SAD

Acting for the insurer in a claim arising out of extensive fire damage to residential properties.

Kate also worked alongside Andrew Miller KC on a US\$100m insurance arbitration arising out of a natural disaster.

Commercial

Kate accepts instructions across all areas of Chambers' commercial work. She has particular experience in the fields of contractual disputes, insurance and property damage. She was recently instructed on behalf of the claimant in a breach of contract dispute raising issues of bailment.

Kate worked alongside Andrew Miller KC on a US\$100m insurance arbitration arising out of a natural disaster.

Professional Negligence

Kate acts for both claimants and defendants in professional negligence matters. She recently acted, led by Daniel Crowley, in a complex, multi-party, professional negligence dispute involving the construction of a new-build property.

While she was judicial assistant to Lord Justice Hamblen in the Court of Appeal, Kate worked on the case of *Manchester Building Society v Grant Thornton* [2019] EWCA Civ 40. This was subsequently appealed to the Supreme Court, [2021] UKSC 20, and is now one of the leading case on the scope of a defendant's duty of care.

Clinical Negligence

Kate has quickly developed a varied and thriving clinical negligence practice, acting for Claimants and Defendants, both led and unled. Her unled work frequently involves cases worth over £1m. Kate is particularly interested in the crossover between clinical negligence and private international law issues, and has acted in cases involving foreign hospitals and medical providers.

Notable Clinical Negligence cases

CC v Blackpool Teaching Hospitals

Acting, led by Michael de Navarro KC, on behalf of the Defendant NHS Trust in a wrongful birth claim pleaded at over £40m (settled at JSM).

GC v Arleta and Anr

Advising a foreign hospital in respect of a jurisdiction challenge in the High Court in a clinical negligence claim.

JD v EKH

Acting for the Claimant in a claim arising out of the failure to diagnose and treat cholesteatoma, resulting in long term loss of hearing (settled pre-action).

SW v Northern Care Alliance NHS Foundation Trust

Acting for the Defendant in a claim for failure to diagnose syphilis, leading to substantial loss of sight (settled at JSM).

LM v Welsh Ambulance Service NHR Trust and Ors

Acting for two of the defendant Trusts in a claim for failure to treat a subarachnoid haemorrhage and stroke.

MA v Nottinghamshire Healthcare NHS Foundation Trust

Acting for the defendant Trust in a claim brought by an inmate detained in a secure psychiatric unit.

GL v Hampshire Hospitals NHS Foundation Trust

Acting for the defendant Trust in a claim concerning allegedly negligent cataract surgery.

Personal Injury

Kate has experience of a wide range of personal injury work. She is particularly interested in personal injury in the travel context, as well as the cross-over between personal injury and employment, and claims in respect of workplace stress.

Awards

- Winner of the *Times* 2TG Moot, judged by Gloster and Jackson LJ and Sir John Laws
- City Law School BPTC Scholarship
- Lord Haldane Scholarship, Lincoln's Inn
- Hardwick Entrance Award, Lincoln's Inn
- City Law School GDL Scholarship
- President's Commendation, Trinity College, Oxford
- Tutor's Prize, Trinity College, Oxford

Education

- BPTC (Outstanding), City Law School
- GDL (Distinction), City Law School
- PGCE History, University College London
- BA History (First Class), Trinity College, Oxford