Compass Chambers



Carolyn McPhee

Year called: 2026
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Profile

Carolyn had 13 years' experience as a solicitor at leading firms before calling to the Bar in 2026.

Carolyn specialises in Clinical Negligence having practised in this area throughout her time as a solicitor. She has extensive experience across all types of clinical negligence cases including several high-value birth injury claims and has been involved in cases in the Court of Session and the All Scotland Personal Injury Court.

During devilling Carolyn has gained more experience across the wider reparation field, particularly in relation to personal injury and product liability as well as professional negligence and professional discipline cases. She has an interest in historic abuse claims.

Representative Cases

CD v Lanarkshire Acute Hospitals NHS Trust [2017] CSIH 30
As a solciitor - this case concerned a child who suffered a brachial plexus injury and Erb's palsy following shoulder dystocia during birth. The pursuer claimed that the midwife delivering her son used excessive traction and diverted from the protocol that was in place in the event there was a shoulder dystocia, an obstetric emergency. The defender's position was that there had been no shoulder dystocia, despite it having been noted in the medical records at the time. The Inner House upheld the Lord Ordinary's finding of negligence and causation.

Jackson v Murray [2015] UKSC 5
As a solicitor - this matter concerned a 13-year-old girl who was struck by a car after stepping out from behind a stationary school minibus in order to cross the road. It was held that the driver was travelling too fast for the conditions and failed to keep a proper lookout. The Lord Ordinary found the pursuer to have been 90% contributorily negligent, stating that the principal cause of the accident was the pursuer's conduct in crossing the road without properly checking for approaching traffic. The Inner House reduced this finding to one of 70% contributory negligence on the part of the pursuer. The case was taken to the Supreme Court, who reduced that finding further to one of 50%. Lord Reed considered that the defender's conduct was at least equally blameworthy and causatively significant.

Donald & Others v Ayrshire & Arran Health Board & Others [2013] CSOH 23

As a solicitor - this case concerned the death of a 45-year old woman from a pulmonary embolism following DVT, with allegations that her GPs had failed to recognise the condition and refer her to hospital. Lord Glennie found negligence on the part of the first GP, who failed to refer her on 28 July, and held that this had caused her death, but found no negligence in the second GP's later assessment.

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