Compass Chambers

Kate Bennett



Year called: 2014
Email: kate.bennett@compasschambers.com
Qualifications: 1987 B.Soc.Sc (HONS) Social Anthropology – University of Manchester
1995 LL.B. (ORD) – University of Glasgow
1996 Diploma in Legal Practice (Distinction) – University of Glasgow

Practice

Kate has a busy and varied reparation practice with a particular emphasis on clinical negligence, disease and complex personal injury cases.

Kate has a particular interest in clinical negligence. Her practice in this area has expanded considerably in the last 5 years, and now represents the majority of her instructions. She is regularly/repeatedly instructed by the Central Legal Office for NHS Scotland to represent NHS Boards throughout Scotland. She is also regularly instructed to pursue clinical negligence claims, thereby maintaining a healthy balance in her work. She is experienced and comfortable working alone as a Junior, but also collaboratively, with Senior Counsel.

Kate appears regularly in the Court of Session and ASPIC. She is also very experienced in conducting Fatal Accident Inquiries.

Kate is the Faculty of Advocates representative on the ASPIC Personal Injuries User Group.

Representative Cases

Norman Adamson v Highland Health Board [2022] EDIN 41
In this clinical negligence action, Kate represented the defenders who were successful following Proof. The pursuer alleged negligence on the part of a urology nurse specialist and a general surgeon in relation to his intravesical BCG treatment for bladder cancer, which he claimed caused him to develop BCG-osis (a rare complication). The pursuer failed to prove his case on both breach of duty and causation.

Cameron v Swan & Anr [2021] CSIH 30
The pursuer claimed damages for catastrophic injuries as a result of having been run over by the first defender. The Pursuer was lying in the road (at night) and intoxicated when the accident occurred. The first defender had not seen him. A Proof proceeded on liability only in 2020. The defenders had been ordained to lead at proof, the first defender having pled guilty to careless driving. The defenders were successful. The Pursuer reclaimed against that decision. The Inner House held that the Lord Ordinary had erred in law by failing to apply the reverse onus correctly. He had also failed to consider relevant evidence, had misunderstood the evidence of the principal witnesses, and had taken into account opinion evidence which ought to have been excluded as inadmissible. Kate was instructed as Junior Counsel at both the Proof and the Reclaiming Motion.

Agnes Mitchell v NHS Borders ASPIC, February 2020 unreported, (Sheriff Liddle)
Acted for defenders in employers liability claim. Nurse claimed damages following assault by patient who suffered from dementia. Defenders were successful at proof.

Lorna McGinlay or McLean & ors v Fairfield Shipbuilding and Anr [2019] CSOH 33
Acted for one of the defenders in fatal claim arising from mesothelioma. Opposed motion for jury trial. Defenders argued that the pursuer's right to jury trial was precluded by section 22(4) of the Prescription and Limitation (Scotland) Act 1973

AH v Greater Glasgow Health Board, SR v Johnson & Johnson Medical Ltd, YT v Spire Healthcare Ltd, EN v Greater Glasgow Health Board 2018 SLT 535
Kate acted as one of three Junior Counsel for pursuers in these four lead cases arising out of use of vaginal mesh products. Reported case re Debate on procedure roll. All cases settled out of court.

What the Directories Say

Legal 500 UK Bar 2025 - Ranked for Personal Injury and Medical Negligence - 'Kate is a fearless advocate, with a very balanced and measured approach, and she demonstrates great client rapport.'

Legal 500 UK Bar 2023 - Ranked for Personal Injury and Medical Negligence - *"Kate remains calm in the face of a storm. An eloquent and persuasive advocate."*

Chambers & Partners 2023 - Ranked for Clinical Negligence - *"Kate is very focused. She is very able in dealing with medical evidence and experts." "Kate provides practical, well thought out and reasoned advice. She is very empathetic with witnesses." "She is hard-working and has high attention to detail."*