Jason Wells



Called: 2007

0161 829 2100

Jason.Wells@byromstreet.com

Practice Overview

Clinical Negligence (Band 1)
Jason Wells is a talented junior barrister with experience handling brain injury cases, as well as amputations and fatalities. His background as an NHS surgeon helps inform his practice when dealing with medically complex clinical negligence cases. He demonstrates a good command of issues such as delayed diagnosis.

Strengths:
"Jason is not afraid to fight a really difficult case. He has a great eye for detail, client injuries, evidence and how to ask the right questions." [Chambers & Partners, 2027]
“*Jason is a well-informed, knowledgeable and highly skilled counsel.”*
“ *A great junior with a technical handle on all things.”*
“*Jason is a very experienced junior in medical negligence work.”*
“*He has a great forensic ability and he is fabulous on complex clinical cases.”*

Legal 500
Clinical Negligence (1)
Jason is a forthright advocate with great insight and understanding of the medical issues in any case.

PRACTICE AREAS
Clinical Negligence
Personal Injury
Professional Discipline
Inquests

APPOINTMENTS
Assistant Coroner

ASSOCIATIONS
Personal Injury Bar Association
Professional Negligence Bar Association
Northern Circuit Medical Law Association
Royal College of Surgeons of England

Clinical Negligence

Jason is regularly instructed by Claimants in high value complex clinical negligence cases, involving all areas of medical malpractice. Most of these cases settle and are not reported.

Current cases include birth injuries, delayed diagnoses resulting in a variety of injuries (including locked in syndrome, cauda equina syndrome, amputations, stomas, infertility, death) and surgical errors.

Reported cases
Welch v Waterworth [2015] EWCA Civ11

Personal Injury

Instructed for Claimants and Defendants in high value cases, including road traffic accidents and accidents at work.

Professional Discipline

Jason has represented practitioners in a variety of professional disciplinary cases at the General Medical Council, Nursing and Midwifery Council and the General Chiropractic Council.

Inquests

Jason sits as an Assistant Coroner in the Greater Manchester South District.
Jason regularly appears in Coroner's courts across England and Wales, in cases involving medical accidents, deaths in custody, road traffic accidents and accidents at work. He represented the parents of a number of babies who died at Furness General Hospital.

Directory Comments

Chambers & Partners 2025 (Clin Neg) - Band 2
Jason Wells is a talented junior barrister with experience handling brain injury cases, as well as amputations and fatalities. His background as an NHS surgeon helps inform his practice when dealing with medically complex clinical negligence cases. He demonstrates a good command of issues such as delayed diagnosis.

"Jason is thorough and provides reasonable and clear advice."

"Jason always provides excellent and sound advice. He is helpful and thoughtful, with a real attention to detail."

"Jason's ability to decipher issues pertaining to breach of duty and causation is unrivalled."

"Jason is very thorough and detailed. He is a former surgeon so that helps with understanding where medical folks are coming from."

Chambers & Partners 2024 (Clin Neg) - Band 2
Jason Wells is a talented junior barrister with experience handling birth injury cases, as well as amputations and fatalities. His background as an NHS surgeon helps inform his practice when dealing with medically complex clinical negligence cases. He demonstrates a good command of issues such as delayed diagnosis.

"Jason is very good analytically and is always responsive."

Jason Wells is a talented junior barrister with experience handling birth injury cases, as well as amputations and fatalities. His background as an NHS surgeon helps inform his practice when dealing with medically complex clinical negligence cases. He demonstrates a good command of issues such as delayed diagnosis.

"Jason's medical background enables him to forensically review the evidence."

"He is very pragmatic."

"Jason's pleadings are considered and concise."
Chambers & Partners 2023 (Clin Neg) - Band 2

Strengths: "Very thorough and provides realistic advice, but is not overcautious and willing to plead difficult cases if necessary. He has a collaborative approach, and as a former surgeon he obviously has excellent medical knowledge." "A very logical thinker with very good judgement."
Chambers & Partners 2022 (Clin Neg) - Band 2

Strengths: "I find that he is really approachable with clients. He's very practical too, and the fact that he used to be a doctor makes him really strong on medical issues."

Recent work: Acted for a child with bilateral deafness allegedly caused by the failure to treat hyperbilirubinaemia. The case was settled for £1 million at a joint settlement meeting.
Chambers & Partners 2020 (Clin Neg)

Junior with experience handling birth injury cases, as well as amputations and fatalities. His background as an NHS surgeon helps inform his practice when dealing with medically complex clinical negligence cases. He demonstrates a good command of issues, such as delayed diagnosis. "Impressive at trial. Thorough, with meticulous attention to detail." "He is quiet and studious but not to be underestimated. His pleadings are always good and accurate and he is an expert on the medical side."
Chambers & Partners 2019 (Clin Neg)

Strengths: "He is very tenacious, very enthusiastic, very helpful and good with the evidential issues." "Impressive at trial. He's thorough and has meticulous attention to detail."

Recent work: Assisted with a GP failure to refer case, in which the claimant now suffers locked-in syndrome after presenting to his GP with increasingly bizarre neurological symptoms.
Chambers & Partners 2018 (Clin Neg)

Mary Ruck KC



Called: 1993
Silk Date: 2023

0161 829 2100

Mary.Ruck@byromstreet.com

Practice Overview

Clinical Negligence (Band 1)
Mary Ruck KC is a hugely popular choice for highly complex fatal delayed diagnosis, spinal injury and gynaecology cases. She has notable experience in birth-related brain injury cases.

Strengths:
"Mary is tenacious and has a detailed eye on the evidence to make sure cases cross the line." [Chambers & Partners, 2027]
"Mary is very hard working and focused." [Chambers & Partners, 2027]
“*Her attention to detail is second to none and she really goes the extra mile to get results for the clients.”*
“Mary has excellent attention to detail and will fight tooth and nail for clients.”
“A very forensically-minded and detailed lawyer.”

Legal 500
Clinical Negligence (2)
She is a very analytical and thorough silk

Mary is described in the directories as a hugely popular choice for complex cases with notable experience in birth brain injury cases, possessing excellent analytical skills with amazing attention to detail and a forensic approach to complex cases.

Mary has a long-held interest in medical law, stemming from post graduate academic study in Medical Law and Ethics with Professor Ian Kennedy at King's College, London.

Mary spent her early career at the London Bar before moving to Manchester.

In 2008 Mary moved to Byrom Street Chambers, as a senior junior. She particularly enjoys the variety of work that position brings within her specialism. She is established as a specialist in clinical negligence, serious personal injury and fatal injury cases. She has a particular interest in the human rights aspects of medical law and has litigated claims in the ECHR resulting in awards of damages and friendly settlement. She has experience of medical regulatory work.

She undertakes cases nationwide with clients largely in the Northwest and London.

Mary undertakes consultations hearings in-person, remotely and a hybrid of remote/in-person working. She lectures regularly for Chambers and undertakes training for the Northern Circuit.

Mary was appointed to the First Tier Tribunal, Mental Health in 2007 and to the Special Educational Needs and Disability Tribunal in 2019.

Mary supports the Evolve Foundation for International Legal Assistance, assisting with submissions for clients on death row in Uganda.

PRACTICE AREAS

Clinical negligence
Personal Injury
Healthcare
Human Rights Fatal Accidents
Professional Discipline

CASELOAD

Claims are of high value and are usually complex in terms of law or medicine or both. Less valuable claims will involve a particular issue of legal importance or novelty. Mary has particular interest in and experience of claims arising out of brain injury.

Mary undertakes Article 2 inquests with and without a jury in cases involving deaths in custody, care homes and psychiatric hospitals and numerous cases under the Fatal Accidents legislation with particular emphasis on cases involving vulnerable clients and systemic failings. She is currently involved in Article 2 Inquests arising out of Covid-19.

Mary was involved in the Kenyan Emergency Group Litigation from 2012. She represented 20,000 victims of torture at trial in the High Court between May 2016 and October 2018. She was the First Junior in a team involving three leading counsel, including specialist leading counsel on international law. She managed a team of juniors with responsibility for pleadings and submissions in relation to 27 Test Claimants.

She undertook cross examination of medical witnesses and made oral submissions to the Court in interlocutory and final hearings. She undertook the drafting of legal arguments, including submissions in relation to interlocutory hearings on domestic and international law, the drafting of petition to the Supreme Court and submissions for the Court of Appeal.

Mary represented the Claimant parents in Khan -v- UK from first instance to its eventual successful resolution in Strasbourg, with significant developments in domestic law at the Court of Appeal concerning the duty of care owed to children. Her argument at first instance regarding the rights of parents was successful in the ECHR.

IMPORTANT CASES

Re CM [2021]: successful resolution at trial, where Defendant arguing statutory funding sufficient in a catastrophic injury where client is subject to a section 41 restriction order; pending resolution of a separate argument on the recoverability of personal injury trust costs. The case required consideration of cross-border funding and care arrangements with the Republic of Ireland for patients under restriction pre- and post-Brexit.

Kimathi & Ors -v- Foreign and Commonwealth Office [2018] 605 QB, concerning trial judge's finding on limitation.

Kimathi & Ors -v- Foreign & Commonwealth Office [2015] - [2018]: multiple interlocutory decisions.

RK and AK -v- Oldham NHS Trust and Dr B Lloyd's Law Report Medical [2003]1
JD, MAK & RK & Anor -v- East Berkshire Community Health NHS Trust & Ors [2005] UKHL 23;
JD, MAK & RK & Anor -v- East Berkshire Community Health NHS Trust and Ors [2005] EWCA Civ 1151;

RK and AK -v- United Kingdom (Application No 38000/05): use of the Human Rights Act 1998 to argue for a duty of care to children and parents in medical misdiagnosis of non-accidental injury, leading to care proceedings

Anderson -v- Blackpool Wyre and Fylde Community Health Services NHS Trust (2003) (unreported); split trials on liability and quantum; lead by Andrew Moran QC. Eventual award of over £2 million for Claimant needing constant care due to severe PTSD; one of the largest known awards at the time for psychiatric injury; included representation (without silk) in front of the Court of Appeal regarding trial judge's decision on evidence.

Wardlaw -v- Farrar [2003] EWCA Civ 1719: represented on appeal to the Court of Appeal. Concerning causation of/contribution to death from pulmonary embolism (pre - cursor to Bailey); concerning service of experts' literature

Ziemniak -v- EPTM Deep Sea Limited [2003] EWCA Civ 636; concerning trial judge's finding on duty of care for catastrophically injured dockworker; right of civil action under the Merchant Shipping (Life Saving Appliances) Regulations 1980, SI 1980/538.

SAMPLE CURRENT CASES

LH: birth brain injury; against Angus Moon QC; approval of settlement before Turner J in February 2021; now proceeds on quantum

CM: catastrophic injury arising from sepsis; quantum resolved at trial in May 2021; pending hearing on recoverability of personal injury trust costs for vulnerable claimant

DLS: delayed diagnosis of retinopathy of prematurity; proceeds on quantum with issues of overlap/double recovery

SC: PTSD arising out of workplace bullying

JS: catastrophic injury from RTA of young claimant; liability resolved, proceeding on quantum

Fatals cases: deaths from Covid; negligent discharge from psychiatric care leading to suicide; negligent mismanagement of post-partum care.

APPOINTMENTS

First Tier Tribunal Judge, Health and Social Care Tribunal (formerly MHRT) (2007)
Assistant editor of the Fatal Accidents section of Butterworths Personal Injury Litigation Service.
Human Rights Commission Preferred Counsel Panel (2011)
Legal Adviser to the Republic of South Africa for National Summit on Asbestos in Johannesburg (1998)

ASSOCIATIONS

Professional Negligence Bar Association
AvMA
Northern Circuit Medical Law Association

PERSONAL INFORMATION

Mary is originally from the South West of England. She attended university in Wales and London, practised at the Bar in London for 6 years and then moved to the Northwest where she married a Lancastrian and settled in Cheshire (an honourable compromise).

Directory Comments

Chambers & Partners 2025 (Clin Neg) - Band 2
Mary Ruck KC is a hugely popular choice for highly complex fatal delayed diagnosis, spinal injury and gynaecology cases. She has notable experience in birth-related brain injury cases.

"Mary is very technical and has good attention to detail. She is great at getting to the crux of issues and working with difficult experts."

"Mary has always been prepared to e-mail and discuss issues and her insights into the issues in the cases she has been involved in have been impressive."

"Mary is well-prepared and gets to the nub of the matter quickly."

Chambers & Partners 2024 (Clin Neg) - Band 1
Mary Ruck is a hugely popular choice for highly complex fatal delayed diagnosis, spinal injury and gynaecology cases. She has notable experience in birth-related brain injury cases.

"Mary has a keen eye for detail and is very thorough in her investigation of a case."

"Mary's attention to detail is phenomenal. She's very attentive and is extremely conscientious in making sure everything is prepared and she leaves no stone unturned."

"She is a fearless advocate for her clients."

Mary Ruck is a hugely popular choice for highly complex fatal delayed diagnosis, spinal injury and gynaecology cases. She has notable experience in birth-related brain injury cases.

"Mary has an excellent eye for detail and is very thorough in her approach to cases."

"She is very precise and thorough."

"Mary has a calm, measured and persuasive approach to advocacy. Her client care skills are excellent."

Chambers & Partners 2023 (Clin Neg) - Band 1

Strengths: "*Mary does not shy away from grappling with complex issues*." "*Absolutely fearless in conference and in court, excellent in cross-examinations, very methodical and leaves no stone unturned*."

(Teir 1 Clin Neg; Chambers & Partners 2022)

2021
Hugely popular choice for highly complex fatal delayed diagnosis, spinal injury and gynaecology cases. She has notable experience in birth brain injury cases.
Strengths: *"She's very personable, has excellent analytical skills and is able to robustly assess evidence in a case." "She is forensic in detail and leaves no stone unturned."* (Tier 1 Clin Neg; Chambers & Partners 2021)

Amazing attention detail and forensic approach to complex cases, a firm hand to work through difficult issues.'
Legal 500 (Clinical Negligence)

2020
Hugely popular choice for highly complex fatal delayed diagnosis, spinal injury and gynaecology cases. She has notable experience in infant brain injury cases.

Strengths: *"She is really compassionate, very knowledgeable and very confident in her advice." "Very meticulous and very skilled at putting the experts through their paces." "She is very up to date with the medical and legal issues that arise and their impact."* (Chambers & Partners 2020; Tier 1 Clin Neg)

2019
Great on her feet, with first-class technical skills." "Very experienced in the field. Very hard-working, thorough and meticulous. A tough negotiator, who adheres to deadlines and is good with clients and experts alike." "She offers a no-nonsense approach to litigation. She has a brilliant understanding of the law and tactics in clinical negligence." (Chambers & Partners 2019; Tier 1 Clin Neg)

2018
Hugely popular choice for highly complex fatal delayed diagnosis, spinal injury and gynaecology cases. Has further experience in child brain injury cases and niche claims relating to the negligent transmission of viruses.
Strengths: *"She's very experienced in the field and is very hard-working, thorough and meticulous." "She is very good with clients and adopts a no-nonsense approach to settlement negotiations."*

2017
Hugely popular choice for highly complex fatal delayed diagnosis, spinal injury and gynaecology cases. Has further experience in child brain injury cases and niche claims relating to the negligent transmission of viruses. Mary Ruck attracts particular attention for her recent work on high-profile group litigation that raises major human rights issues.
Strengths: *"She's bright and thorough but brings some warmth to everything she does." "She is very approachable from a solicitor point of view; we can very often have conversations about a case off the cuff.*" (Chambers & Partners)

2016
Noted for her substantial experience in complex claims, where sources value her in-depth knowledge. She frequently undertakes cases involving human rights issues of medical law.
Strengths: *"Her knowledge is beyond belief. She's very friendly and very approachable. The clients loved her and she fought and fought on their behalf." "She's exceptionally tenacious, with fantastic attention to detail. She's particularly good in dealing with difficult experts."* (Chambers & Partners)

She has an exceptional ability to deal with difficult clients (Legal 500)

2015
"Maintains a broad clinical negligence practice, and is frequently instructed on behalf of both defendants and claimants. She is noted for her expertise in brain injury claims. **Expertise**: *"She really empathises with the client and becomes involved in the whole journey from an early stage."* (Chambers and Partners)

*A clever and effective tactician. (*Legal 500)

2014
Has a particular focus on brain injury cases. She primarily acts for claimants. Expertise: *"She has a good way with lay clients and manages to pitch things in the right way; she is clear in her explanations and makes people feel involved*." "Her knowledge of the law is excellent and she really thinks outside the box." (Chambers and Partners)

'Hardworking and diligent.' (Legal 500)

2013
Highly regarded for her expertise in complex, high-value claims relating to severe brain injuries. (Chambers and Partners)

Recommended within Personal Injury and Clinical Negligence (Legal 500)

2012
Mary Ruck is frequently sought after to act on behalf of clients in high-value cases, notably brain injury and wrongful birth claims, and is further distinguished by her experience in medical regulatory matters. Peers describe her as *"a formidable opponent who is tenacious, robust and dynamic."* Clients appreciate *"the clarity of her advice and her straight-talking, no-nonsense approach."* (Chambers & Partners)

"completely reliable, tenacious and pragmatic counsel" (Legal 500)

2011
Mary Ruck's "straight talking style" goes down well with solicitors. She gives clear, direct advice on a range of medical negligence issues, often with a human rights slant. Clients admire her ability to lead negotiations to a sensible conclusion, and the way she "combines practical experience with an academic approach" (Chambers and Partners)

"Mary Ruck is 'compassionate, yet strong', and is an 'exceptional barrister with both the intellect to deal with the complex issues arising in clinical negligence cases and the interpersonal skills to deal with clients in very stressful circumstances'." (Legal 500)