

Ben Rich

"An incredible advocate. He is practical and persuasive, and his cross-examination skills are fantastic."
Legal 500 UK 2024



Year of Call: 2010

020 7353 5324

Ben Rich is ranked in Legal 500 and Chambers and Partners as a leading junior in the fields of Professional Discipline and Inquests & Inquiries. He is described in Legal 500 as working with *"impeccable attention to detail"* and in Chambers and Partners as *"an advocate who is up for a fight, will not be intimidated by more senior counsel and delivers brilliant results"*.

He practices in Professional Discipline and Inquests. He appears in the Court of Appeal, High Court, Crown Court and a wide variety of tribunals including the MPTS, GDC, GOC and RICS.

Before being called to the Bar, Ben had a substantial career as a radio and television journalist at the BBC. He worked for six years as an editor on BBC2's Newsnight, and ended up as Deputy Editor of the Six and Ten O'clock News on BBC1.

Ben accepts **Direct Access** instructions.

What Others Say:

"Brilliant to work with, calm and patient, and a very effective advocate who achieves great results."

"Very pleasant to work with; he's abundantly helpful and generous with his time. I'm always very impressed by his cross-examination, which is scrupulous yet fair." and "Always enthusiastic and eager to discuss cases to provide tailored advice. Ben is trusted counsel among our clients and has been instructed in some of the most voluminous cases this year." – Chambers UK 2024 (Professional Discipline)

"He is very astute and simply terrific to work with." and "He goes the extra mile to cover all areas and to advise his clients on all aspects of the case. He is very analytical and looks at matters from all angles." – Chambers UK 2023

"Ben is a confident advocate, with extensive experience. He is a knowledgeable, pragmatic and calm

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advocate and reassuringly guides clients through difficult proceedings whilst putting them at ease.” – Legal 500 UK 2023

“He is very well prepared and provides very clear advice. Skilfully pre-empts issues and provides workable solutions. Provides updates at appropriate junctures and is highly responsive.” “A sharp mind, brilliant communicator and trusted counsel.” “A very thoughtful barrister who is highly accurate. He has immense attention to detail and is easy to work with.” – Chambers UK 2022

“Very focused on his cases, particularly accurate with his delivery of case law, and clear and consistent in his approach. Solicitors have been impressed by how he handles clients, remains calm in complex situations, and delivers well-thought out arguments and effective cross-examination.” – Legal 500 UK 2022

“He works with impeccable attention to detail and engages in rigorous case preparation – well-prepared, dependable and responsive” – Legal 500 UK 2021

“The most organised barrister we work with: he makes life much easier for his instructing solicitors. He is an advocate who is up for a fight, will not be intimidated by more senior counsel and delivers brilliant results.” – Chambers UK 2020

“Operates in a very skilled manner and demonstrates a great deal of ability.” – Chambers UK 2018

“Professional and pragmatic, with thorough questioning of witnesses.” – Chambers UK 2018

Inquests & Public Inquiries

Ben has a substantial inquest practice, mainly representing medical professionals. He has represented clients in jury inquests, and in Article 2 inquests.

Notable Cases:

Inquest touching on the death of BO for Dr AO [2024]

This inquest concerned a patient with severe depression, which was resistant to a very wide range of treatments. Dr AO, his GP, prescribed a benzodiazepine which, three years earlier, a hospital specialist had suggested should not be prescribed for him again as it might have contributed to suicidality. The GP had to explain and defend his position that it was a reasonable calculated risk, given the patient’s extreme distress and the fact that this drug was the only thing which provided any relief. The asserted causation was also successfully challenged.

Inquest touching on the death of FP for Prof SR [2023]

Represented a distinguished heart surgeon where it was suggested that he had undertaken an inappropriate procedure which led to the death of an otherwise reasonably healthy patient, without getting her informed consent for it. The investigation concentrated on complex evidence concerning the risks of a particular heart valve device, and of the complication that arose and how that interacted with changing guidelines in the area.

Inquest touching on the death of SK [2019]

Ben represented an East of England Clinical Commissioning Group who were responsible for a package of

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care given to the deceased. Unknown to all the agencies dealing with her, she had stopped receiving any care and eventually died of sepsis. The inquest involved arguments particularly on the issue of causation, and whether there was sufficient link between the failure to ensure the care package was delivered, and the death.

Inquest touching on the death of TC [2019]

TC was murdered in an immigration detention centre. An Article 2 jury inquest was held. Ben represented a nurse who had attended on TC, who was accused of having failed competently to undertake emergency medical treatment. After detailed cross-examination of the witness who accused this nurse, the Coroner, with the support of the family, decided that no question relating to the nurse would be left to the jury.

Professional Discipline

Ben Rich is ranked as a leading junior in this field by both Legal 500 and Chambers and Partners.

He defends doctors, dentists, and other healthcare professionals before their regulators. He presents cases for the General Optical Council, the Royal Institution of Chartered Surveyors and the British Acupuncture Council.

Recent cases include successfully defending a doctor accused of bribing a patient not to complain, and defending a cancer specialist facing around 60 charges relating to his clinical practice. After cross-examination of the GMC expert none of the particulars deriving from the expert's report were found proved.

In 2020 he secured a 9-month suspension for a doctor found to have had a sexually-motivated communication with a 13- year-old. Ben successfully defended this outcome in the High Court against a GMC appeal [[GMC v Awan \[2020\] EWHC 1553 \(Admin\)](#)].

Other cases have included charges of dishonesty, sexual impropriety with nurses, and a range of clinical failings.

Ben has advised on judicial review for healthcare professionals, and has conducted a number of (non-medical) judicial reviews in the High Court.

Notable Cases:

GMC v Dr N (2024)

The doctor was accused by three eyewitnesses of extensive failures in examining and treating a patient. After cross-examination the only charges proved were minor ones (mostly record-keeping) which the doctor had admitted.

GDC v TC (2023)

This dentist faced multiple charges of inappropriate touching of dental nurses, and further allegations concerning a relationship with a junior employee in a non-dental setting. The Committee decided that the touching of the nurses was not sexual in nature, and the relationship with the employee was consensual, albeit an abuse of trust. There was a finding of "no impairment".

GMC v Dr MW (2023)

Dr MW was accused of bribing a patient not to make a complaint, following an incident in which the patient was allowed to order excessive amounts of opiates on repeat prescription. The prescription issue was dealt with at an

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earlier hearing where no impairment was found. In the second hearing the Tribunal concluded that the doctor did try to persuade the patient not to complain, but the allegation he offered money was not proved. He was subject to an order of conditions.

RICS v C&W (2023)

Ben represented RICS in this case against a large building management company. The company had been convicted in the Crown Court of Health and Safety offences after a passer-by was killed by a block of wood that was blown off a roof. The company had improved its safety and inspection procedures and its management systems. A fine was imposed on the company, but it retained its RICS affiliation.

GMC v SO (2022)

Dr SO faced nine separate charges accusing her of dishonesty in her clinical practice, and in what she told various employers and others about her difficulties. She also faced clinical allegations. One of the dishonesty allegations was deleted after a preliminary 'Misra' argument that the doctor had merely been setting out her account, and to charge it was oppressive. Six of the remaining dishonesty allegations were not proved. Two were proved, but the doctor got a sanction of conditions involving supervision.

GMC v Dr Awan [MPTS and GMC v Awan [2020] EWHC 1553 (Admin)]

This case involved a doctor who, against his denials, was found to have had sexually-motivated conversations with someone he believed to be 13 years old (in fact a police officer). The GMC appealed a 9-month suspension but it was upheld. The case is important for stating that a registrant should not face increased sanction simply for putting up a defence to the facts, however lacking in credibility that defence may be.

Accreditations



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Appointments & Memberships

- Association of Regulatory & Disciplinary Lawyers

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