12
King's Bench Walk

Mary Newnham



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AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, International & Travel, Inquests, Fraud, Costs & Litigation Funding, Industrial Disease, Insurance, Professional Negligence, Product Liability

Mary practises predominantly in personal injury and clinical negligence. She acts for both claimants and defendants in a wide range of multi-track cases. Mary is regularly instructed in cases involving fatal accidents, brain injuries and serious and multiple injuries. She is also very familiar with cases where there is an interplay between physical and psychological injuries or a diagnosis of functional or somatoform disorders. She is comfortable with cases involving multiple experts, causation problems and complex calculations of loss, whether they conclude at trial or at JSM.

Mary has substantial experience in road traffic litigation, including cases involving allegations of fraud and coverage/ indemnity issues. She also specialises in employers' liability claims and public liability cases, often involving multiple defendants.

Mary's clinical negligence practice includes cases where consideration is given to bringing additional claims for negligent medical treatment following an accident as well as free-standing claims against medical professionals for late diagnosis, negligent treatment or lack of informed consent.

Mary is regularly instructed to appear in the Coroner's Court and has experience of substantial inquests involving juries, potential unlawful killing verdicts, deaths in the care of the state and cases where there is potential for a Preventing Future Deaths report.

Mary provides lectures and seminars to solicitors and insurers and can do so in-house.

Personal Injury

This is Mary's main area of practice, in which she acts for both claimants and defendants across a wide variety of cases. Mary is regularly instructed in cases involving fatal accidents, brain injuries and serious and multiple injuries. She is also very familiar with cases where there is an interplay between physical and psychological injuries or a diagnosis of functional or somatoform disorders. She is comfortable with cases involving multiple experts, causation problems and complex calculations of loss, whether they conclude at trial or at JSM. Mary advises on procedural points related to personal injury litigation and frequently appears in contested procedural applications and directions hearings.

Mary has substantial experience in road traffic litigation, including cases involving allegations of fraud or insurance/ indemnity issues. She also specialises in employers' liability claims and occupier's liability/highways cases, often involving multiple defendants.

Recent interesting cases include

- Advising in and settling a substantial claim (pleaded at £900k+) involving a contested diagnosis of somatic

symptom disorder
- Achieving a finding of contributory negligence against a child pedestrian at trial following sensitive cross-examination
- Successfully defending at trial an occupiers' liability claim involving an alleged fall within a pub
- Acting for a driver who suffered psychological injury following an assault by a member of the public in the course of his employment

Clinical Negligence

Mary's clinical negligence practice includes a wide variety of cases arising out of negligent treatment, late diagnosis or lack of informed consent.

Mary is comfortable engaging in technical conferences with medical expert witnesses and can deal sensitively with vulnerable claimants.

Her practice also includes cases where consideration is given to bringing additional claims for negligent medical treatment following an accident..

Recent interesting cases include

- Appearing at inquest and advising in a fatal claim arising out of post-cholecystectomy complications
- Fatal claim involving late diagnosis of pulmonary hypertension in pregnancy
- Advising in and settling a case involving negligent hernia repair
- Additional claim relating to delayed diagnosis of cauda equina following back injury at work

Inquests

Mary is regularly instructed to appear in the Coroner's Court and has experience of substantial inquests involving juries, potential unlawful killing verdicts, Article 2 inquests and cases where there is a potential for a Preventing Future Deaths report.

Recent interesting hearings include:

- Inquest arising concerning death in hospital following cholecystectomy
- Inquest concerning maternal death following late diagnosis of pulmonary hypertension in pregnancy https://www.liverpoolecho.co.uk/news/liverpool-news/tragic-mum-would-been-offered-20499417
- Jury inquest concerning death from fall from scaffolding, with unlawful killing verdicts considered

Fraud

Mary is regularly instructed in cases where there are allegations of fraud and/or fundamental dishonesty, from early conferences to fully contested trials. Mary frequently advises in cases where the defendant relies upon surveillance or social media evidence.

Costs & Litigation Funding

Mary has significant experience in costs issues, both in the context of personal injury proceedings and in costs-only litigation. She is regularly instructed at CCMCs where budgets are heavily disputed. She is familiar with issues frequently arising in 'ex-portal' cases and QOCS. She is instructed in contested applications for costs (on matters of principle or assessment) following settlement.

Industrial Disease

Mary acts for both Claimants and Defendants in industrial disease claims. In particular, she is regularly instructed in

cases involving noise induced hearing loss and injuries arising out of repetitive manual handling. She is familiar with the limitation points and arguments relating to expert evidence which commonly arise in this type of claim.

International & Travel

Mary has an interest in personal injury claims with an international dimension and is familiar with the jurisdictional and evidential issues which arise in such cases.

Insurance

Mary advises on coverage and indemnity issues and in claims involving uninsured and/or untraced drivers and the Motor Insurers Bureau.

Credit Hire

Mary advises on coverage and indemnity issues and in claims involving uninsured and/or untraced drivers and the Motor Insurers Bureau.

Professional Negligence

In the area of solicitor's negligence, Mary advises in claims relating to negligent settlement and other issues arising out of the running of personal injury claims.

Product Liability

Mary acts in cases involving product liability with a personal injury angle, such as food poisoning and claims for personal injury arising out of defective consumer products.

Qualifications & Awards

BVC, Inns of Court School of Law

PgDL, City University

BA (Hons) Modern History, St Catherine's College, Oxford

Lord Brougham Scholarship, Lincoln's Inn, 2001

Memberships

PIBA, PNBA