

# 12

King's Bench Walk

## Mary Newnham

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### AREAS OF EXPERTISE

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

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

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 (including disease 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 or negligent treatment.

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 DOLS orders.

Mary is striving to become paperless in her practice and welcomes instructions in PDF format and by email.

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

Mary is currently living in Manchester and is happy to cover hearings in the north west area.

### 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. 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. She also specialises in employers' liability claims and occupier's liability/highways cases, often involving multiple defendants.

Mary also appears before the CICA and CRU tribunals.

Recent interesting cases include

- Successfully defending at trial an action by a teacher against a residential school for children with autism following alleged assault by a pupil
- Advising numerous child claimants in a multi-claimant action against nursery for food poisoning
- Acting (at first instance and on appeal) in a claim against a holiday camp for injury occurring during a game of rounders
- Advising in a claim involving aggravation of pre-existing fibromyalgia
- Advising in a case involving potential contributory negligence as joint enterprise between employees
- Representing a claimant who developed OCD as a result of assault and bullying at work
- Advising in a claim involving a traumatic brain injury to a claimant with congenital hydrocephalus
- Advising in a claim for legionnaires disease contracted by care home worker

## Clinical Negligence

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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 or negligent treatment.

Recent interesting cases include

- Advising in and settling a case involving negligent hernia repair
- Acting in a claim involving fractured limb in a patient lacking capacity while an inpatient in hospital
- Advising in a claim involving unplanned pregnancy following vasectomy
- Additional claim relating to delayed diagnosis of cauda equina following back injury at work
- Acting in a professional negligence claim involving a physiotherapist

## International & Travel

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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.

Recent interesting cases include:

- Successfully defending at trial a claim arising out of allegedly incorrect ski boot bindings in Austria
- Advising re. jurisdiction and application of law in the Falkland Islands in relation to an accident at work

## Inquests

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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 DOLS orders.

Recent interesting hearings include:

- Jury inquest concerning death from fall from scaffolding, with unlawful killing verdicts considered

- Inquest concerning death in RTA while driving electric quadricycle on public road
- Inquest concerning death from sepsis of resident in care home
- Jury inquest concerning suicide of patient detained under Mental Health Act

## **Fraud**

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Mary is regularly instructed in cases where there are allegations of fraud, from early conferences to fully contested trials. This is frequently arising out of road traffic litigation, but also in more diverse contexts.

Recent interesting cases include successfully acting (from conference to trial) in an employer's liability case involving allegations of fraud, interference with witnesses and fabrication of evidence under duress.

## **Costs**

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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 following the introduction of costs budgeting.

## **Industrial Disease**

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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.

## **Insurance**

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

## **Professional Negligence**

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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**

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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**

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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**

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PIBA, PNBA

## **Cases**

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- Successfully defending at trial an action by a teacher against a residential school for children with autism following alleged assault by a pupil

- Advising numerous child claimants in a multi-claimant action against nursery for food poisoning
- Acting (at first instance and on appeal) in a claim against a holiday camp for injury occurring during a game of rounders
- Advising in a claim involving aggravation of pre-existing fibromyalgia
- Advising in a case involving potential contributory negligence as joint enterprise between employees
- Representing a claimant who developed OCD as a result of assault and bullying at work
- Advising in a claim involving a traumatic brain injury to a claimant with congenital hydrocephalus
- Advising in a claim for legionnaires disease contracted by care home worker
- Advising in and settling a case involving negligent hernia repair
- Acting in a claim involving fractured limb in a patient lacking capacity while an inpatient in hospital
- Advising in a claim involving unwanted pregnancy following vasectomy
- Additional claim relating to delayed diagnosis of cauda equina following back injury at work
- Acting in a professional negligence claim involving a physiotherapist
- Successfully defending at trial a claim arising out of allegedly incorrect ski boot bindings in Austria
- Advising re. jurisdiction and application of law in the Falkland Islands in relation to an accident at work
- Successfully acting (from conference to trial) in an employer's liability case involving allegations of fraud, interference with witnesses and fabrication of evidence under duress