

Ellena James

Year of Call: 2015
Email Address: ellena.james@3pb.co.uk
Telephone: 01202 292102

Personal Injury

Ellena James undertakes a wide variety of work across all areas of personal injury. She acts for both Claimants and Defendants appearing in fast track trials at all stages from drafting pleadings, applications and through to trial where both liability and quantum may be in issue.

Having a mixed practice enables her to anticipate challenges and address potential issues at an early stage. When acting for Defendants she has secured drop hands offers at court. The judiciary have described her cross-examination as "skilful" and "able and searching" in bringing out inconsistencies.

Ellena is well versed in all matters relating to credit hire litigation, such damages often being claimed in personal injury matters. A particular success involved the dismissal of a claim on the issue of need following her thorough cross-examination of the claimant's financial documents.

Ellena is renowned for working to tight deadlines and is willing to accept instructions on a CFA basis where appropriate. She accepts instructions in the following areas:

- Road traffic accident claims including trials where there have been allegations of fraud
- Employers' liability claims
- Holiday sickness claims
- Occupiers' Liability Act 1957
- Defective Premises Act 1972
- Highways Act 1980
- Consumer Protection Act 1987
- Animals Act 1971

Ellena's recent cases have involved:

- representing a child who sustained injuries in a shop as a result of a falling mannequin
- representing a lady who slipped on a concrete slab that had been used as a makeshift drain cover
- exceeding a Part 36 offer against a crane hire company which failed to properly train its employee on the operation of a particular crane, the witnesses accepting in cross-examination that the risk assessments had been back dated
- drafting pleadings in a claim against a car manufacturer for a defective car bonnet that fell down causing injury.

Articles

Ellena James looks at the case of Andrew Carr v Brands Transport Limited [2022] EWHC 3167 (KB). This judgment serves as a detailed and comprehensive review of personal injury claims in an employment context, including contributory negligence and the circumstances in which a sole director will be considered an employee in such cases.

View Article

Academic qualifications

- BPTC – Very Competent, BPP University London
- LLB (Hons) Law – 2:1, University of Surrey

Professional bodies

- Member of the Western Circuit
- Dorset, Hampshire and Wiltshire representative, Western Circuit
- The Honourable Society of the Inner Temple