



Ellena James

Year of Call: 2015

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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.

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

Inquests

Ellena James is a member of 3PB's Inquests Team. She understands the importance of finding answers to the crucial questions which often remain following a death and she is happy to act for any interested party.

In recent cases she has appeared on behalf of:

- The motor insurers following a fatal road traffic collision, where the court concluded that the deceased had pulled out of the junction and the insured, driving on the main road, was unable to avoid the collision
- A mother whose premature baby had been discovered unresponsive by paramedics. The Coroner had to treat the evidence of the family's co-sleeping habits cautiously given the other risk factors involved; and
- A police force, at a pre-inquest review hearing, that had been involved in the search and investigation of the deceased.

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