



Susan Jones

Year of Call: 2011

Email Address: susan.jones@3pb.co.uk

Secure Email: susan.jones@3paper.cjsm.net

Telephone: 01962 868 884

Personal Injury

Susan accepts instructions in a wide range of personal injury matters and acts for Claimants and Defendants.

Susan regularly attends:

- Costs and Case Management Hearings (CCMCs)
- Interim applications, including relief from sanctions
- Trials involving liability, causation and quantum disputes
- Infant and protected party approval hearings for a wide range of injuries including fatal injuries
- Conciliation hearings
- Inquests.

Susan has experience of personal injury claims concerning occupier's liability, the Highway Act, food poisoning, accidents at work, road traffic accidents, sporting accidents and fatal injuries arising in a wide range of circumstances.

Susan has acted or is currently acting for Defendants in cases in which:

- Fundamental dishonesty is alleged, made out and qualified one-way costs shifting (QOCS) has been disapplied.
- Breach of duty is admitted but causation disputed based on Late Notification, in which following cross examination the Claimant did not make out their case.
- Following discontinuance Defendant costs are pursued based on fundamental dishonesty.
- Arguments have been raised regarding purported discontinuance and strike out has been sought in addition or as an alternative to fundamental dishonesty.
- After trial liability has been made out against one Defendant but not the Defendant Susan represented in which case Susan secured an enforceable Defendant costs order up to the extent of damages awarded.
- Only quantum is disputed but the Claimant has failed to better a Defendant Part 36 offer, with costs consequences.
- A quantum only dispute was allocated to the Fast Track, but Susan successfully argued the claim unreasonably left the Portal resulting in the Claimant being limited to Portal costs with significant cost savings for the Defendant.

Susan represented a Claimant at trial where the Claimant alleged, he burnt his hand while working for the Defendant when required to set fire to sawdust on the Defendants premises. The matter was defended on the basis that the Defendant never employed the Claimant (there was no contract of employment, no evidence of payments and the Claimant did not have a UK work permit) and in any event that the incident did not occur on his premises (there being no accident book entry, or any other record and the incident described was not something tolerated by the Defendant). Following a full day trial, the judge found for the Claimant and heard submissions on quantum for burn injuries.

Susan recently advised a local authority in respect of life long dental treatment required by a child following a liability admitted accident. On behalf of the Defendant Susan attended the approval and informed the Court that the settlement was fair, excluded double counting suggested in the Claimant's schedule of loss and applied the correct discount rate.

Susan represented a child at an assessment of damages hearing, who sustaining deep facial laceration requiring surgery under general anaesthetic, leaving permanent scarring with a likelihood of further future treatment. The Claimant also suffered post traumatic anxiety that resolved.

Susan provides advice on quantum and attends infant and protected party approval hearings, including for dependents following fatal accidents. She has considered issue relating to hostile litigation friends and matters arising when Defendant's potentially lack capacity in areas of law outside the remit of personal injury.

Susan is happy to draft pleadings and advise on prospects and quantum.

Susan is a member of PIBA and attends their annual March conference.

Inquests

Inquests

Susan has experience dealing with cases in which the determination of the cause of death are complex and involve the assessment of factual evidence and the opinions of a number of experts.

Susan has experience with inquests involving:

- Deaths in custody
- Care homes death
- Hospital deaths, including complications in cardiology and urology procedures and labour
- Emergency Services attendance
- Neonatal deaths
- Sudden Infant Death
- Sudden adult deaths
- Road Traffic Deaths
- Suicides
- Water related deaths
- Article 2 inquests
- Jury inquests
- Multi day inquests

Susan completed a 7-month secondment in the inquest team at Capsticks solicitors during which she prepared cases from receipt of initial instructions and appeared as the advocate at the inquest. Susan continues to build on this area of work.

Recent Inquests:

Hospital Deaths

- Baby D: Susan represented an NHS Trust in an inquest concerning a neonatal death with alleged antenatal and neonatal failings surrounding Haemolytic Disease of the New Born. Although the coroner was critical of care provided by the Trust, no causative failings were established.
- Susan represented a family in a two-day inquest following the death of a woman with placenta accrete who died post emergency caesarean section as a result of torrential haemorrhage. This inquest involved extensive obstetric evidence

from clinicians, an independent obstetrics expert and a pathologist with an interest in maternal death. Evidence considered antenatal reviews, timing of the caesarean section, surgical entry and postoperative care. The coroner made neglect findings.

- Re LM-B: Susan appeared on behalf of a Trust providing psychiatric care to a patient who collapsed in the street. Prior to the inquest Susan drafted instructions and questions for a toxicology expert to advise on post mortem redistribution and other factors affecting post mortem blood concentrations of anti-psychic drugs and anti-depressant (clozapin and venflaxin), that according to the post mortem were present after death at toxic and fatal levels. At the inquest Susan questioned the pathologist and expert witness. The coroner returned a natural causes conclusion. Re CMcL: inquest into the death of a member of hospital staff arising out of a rare but recognised complication during an elective investigatory angiogram. Live evidence was heard from consultant pathologist, consultant cardiologist and registrar.
- Re JP: this inquest involving attendance by emergency services and delays at the scene whilst awaiting a bariatric ambulance. Questions were raised about the time taken for the ambulance service to transfer JP to hospital.

Prison Deaths

- Re AH: 7 day jury inquest into the death of a prisoner who received a drugs package into HMP Pentonville, on which he subsequently choked. This inquiry included investigation into prisoner restraint.

Care Home Deaths

- Re DB: 4 day inquest into the death of a dementia resident who whilst in care was struck in the face by another dementia resident, involving examination of medical records of a living person to determine if there were any missed opportunities to protect others. Susan advised on disclosure of the records of a living person who lacked capacity and made submissions to the coroner in respect of disclosure.
- Re NMcL: 5-day inquest into the death of an elderly care home resident suffering with dementia after falling from a chair and sustaining a fractured neck of femur. This matter went part heard at which point Susan succeed in getting her client's status demoted to an interested person on the basis of "sufficient interest" only.

Local Authority Related Deaths

Susan has appeared for various Local Authorities in inquests concerning:

- Drowning on a beach, exploring adequacy of signage and personal rescue equipment and whether these were in accordance with Royal National Lifeboat Institute (RNLI) guidance.
- Death following a tree falling into a vehicle on the highway
- The death of a 3-week-old baby, considering co-sleeping and whether the actions of social services and other agencies were appropriate. In evidence Susan explored the rationale behind the approach taken by social services and the frequency of their interactions with other agencies. A conclusion of Sudden Unexpected Death in Infancy (co-sleeping) was returned and in respect of prevention of further death reports, the coroner indicated that the evidence clarified the multi-agency approach was appropriate and a PFD report was unnecessary.
- In an 8-day jury inquest in 2017 Susan represented a novice jet skier involved in a fatal collision resulting in the death of an experienced jet skier. The inquest involved complex factual and expert evidence, including expert evidence regarding water collision reconstruction and medical causation. The Coroner requested submissions on the appropriateness of leaving unlawful killing to the jury.

Susan has attended the following inquest seminars:

- 'The Coroner's and Justice Act 2 years on'
- 'The Coroner's Inquest some current dilemmas'
- His Honour Judge Mark Lucreft QC, Chief Coroner, address to the 2018 PIBA conference.

Recommendations

"May I personally record my admiration of Susan Jones performance before Mrs Justice Lambert. I sat behind her as a solicitor with 25 years post qualification experience and witnessed a rising star. She stood her ground against Mrs Justice Lambert's initially strident view that the judge below had reached a wrong decision on the facts and gently set out in a highly effective, forensic way how the judge's opinion below should not be interfered with.....High Court Judges don't mess around, neither did Susan" (Instructing solicitor in Susan Jones successfully opposition of High Court Appeal challenging both Procedural Matters and Findings of Fact)

"Speed and uptake was impressive to say the least, as was her energy and the commitment she made. Since this first encounter, we have sought to use her whenever possible. Having sat next to her I can say that she is an accomplished advocate with a compelling style of advocacy" (Partner, instructing and attending a 3 day hearing)

"Our client is very happy with the outcome and I would certainly not hesitate to use Miss Susan Jones in the future or recommend her to my colleagues". (Solicitor)

"Thank you for your advice which is both thorough and lucid of its analysis of the case" (Associate Solicitor)

"Miss Jones was extremely helpful and professional. I do not see how we could have done any more to better present my case" (Lay Client)

Academic qualifications

- Queen's University Belfast (LLB: First, Top in Year)
- City University Law School (Bar Professional Training Course: Outstanding)

Scholarships

- BPTC scholarship
- Sweet and Maxwell Prize - most distinguished student in LLB final examinations
- Queen's University Belfast awards for:
 - Jurisprudence and political economics
 - Contract law
 - Trademarks and unfair competition

Professional qualifications & appointments

- Western Circuit Area Bar Junior (Winchester)
- Direct/Public access qualified

Professional bodies

- Personal Injury Bar Association
- Association of Regulatory & Disciplinary Lawyers
- British Association for Sport and Law (BASL)

- Bar Pro Bono Unit

Direct Access

Susan Jones is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.