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Jayne Adams KC

Year of Call: 1982

Year of Silk: 2016

Telephone: 0115 947 2581



Overview

Jayne has extensive experience in disease, high value personal injury, clinical negligence, fraud and sports claims.

She is frequently requested by insurers to advise and represent in cutting-edge disease claims.

She is often invited to provide lectures in all of the areas above, but particularly in the industrial disease field to both solicitor and insurer clients.

Expertise

Disease

Having spent pupillage working on the leading disease case of *Thompson v Smiths Shiprepairers (North Shields) Ltd* [1984] QB 405, Jayne has worked in the industrial disease field for the whole of her career.

Working on all aspects of disease claims at Multi Track level, with a particular interest in asthma, cancers and chest diseases, asbestos work forms a significant part of practice.

Regular appearances before the Specialist Masters on show cause and all interlocutory matters are combined with trials and appeals on limitation, liability, causation and quantum. Jayne has been involved in group actions involving exposure by the Fire Service to allegedly contaminated water in rescue training and RADS claims arising from work in petroleum columns, as well as new claims in resurgent areas of silicosis and tuberculosis.

She has also been involved in air contamination, wood dust and aspergillus claims.

Recent cases have included *Hill & Billingham v Lloyds British Inspections Services Ltd & Others* [2013] EWHC 520, establishing the test for exposure between 1965 and the introduction of the Asbestos Regulations 1969 to be measured by TDN 13, *Dalton v Gough Copper & Co Ltd* [2014] EWHC 1556, an appeal from an Asbestos Master leading to setting aside judgment in default and ultimately discontinuance of the claim, and *Robinson (Personal Representative of Frederick Lugay Deceased) v Hammersmith & Fulham LBC* [2017] EWHC 1823 where the local authority successfully defended allegations of breach of duty in a mesothelioma claim arising from occupancy of local authority housing.

Jayne also provides generic and strategic advice for insurers in relation to matters which affect claims generally, including public liability claims, disputes between insurers and, most recently, the approach to be taken to immunotherapy claims in mesothelioma. She regularly provides lectures and training within this sphere.

Personal Injury

Jayne has practised in the personal injury field throughout her career, with the emphasis now on high value and catastrophic claims as well as those with a generic or strategic angle. That work has also involved stress at work and bullying claims.

Jayne has extensive expertise in spinal and major head injury claims as well as physical conditions generally, chronic pain type conditions and psychiatric/psychological injuries. Whether arising from road traffic accidents, accidents at work, construction sites or product liability, Jayne has worked in that area.

Jayne was junior counsel on the Leicestershire, Bryn Alyn and North Wales Abuse in Care Litigation and has experience of many hundreds of such abuse claims in the context of limitation, breach of duty, medical causation and quantum.

Serious Injury

Jayne has practised in the personal injury field throughout her career, with the emphasis now on high value and catastrophic claims as well as those with a generic or strategic angle.

She is regularly involved in seven figure claims arising from physical injury, predominantly spinal, brain and head injury as well as chronic pain and psychiatric type conditions whether on liability, medical causation or quantum.

Jayne is used to preparing extensive schedules and counter-schedules, advising on risk and value, and running claims to trial as well as carrying out joint settlement meetings and mediations.

Apart from very serious motor claims, recent cases have involved cauda equina injuries, systemic damage from sewage contamination, stress at work involving termination of high powered careers both for Claimant and Defendant and claims involving intervening clinical events.

Counter Fraud

As a personal injury practitioner throughout her career, Jayne has always considered fraudulent claims as an inherent part of that work.

Every claim requires a forensic analysis of the truth or otherwise of a claim. Whether looking at exaggeration, dishonesty in terms of symptoms or downright fraud in relation to the occurrence of the event in question, Jayne has fought many such cases.

Most recently, Jayne was successful in a case spanning fifteen years of her practice, as counsel throughout and then junior counsel on the Supreme Court decision of *Colin Hayward v Zurich Insurance Company Plc*. Having been counsel on the original claim, Jayne then advised on the prospects of setting aside a Tomlin order in the case of fraud, successfully ran the action claiming fraud to trial and ultimately succeeded, with Patrick Limb KC, in persuading the Supreme Court of the force of the first instance decision. The insurer was able to claim back those sums which had been overpaid as a result of the original fraudulent exaggeration of injury. This decision has far reaching consequences for the approach to fraudulent claims.

Clinical Negligence

Jayne has extensive experience in the clinical negligence field as well as being a member of a local drugs related research ethics committee and for 10 years sitting as the chairperson of the CARE fertility services ethics committee.

She is the President of the Nottinghamshire Medico-Legal Society (2017-2018).

Jayne has advised on IVF and surrogacy related issues in the clinical negligence area. More regularly, Jayne has appeared in actions against NHS Hospital Trusts, GPs and individual Consultants working in the private sector. Such work has included, as well as birth and immediate post birth injuries / failures involving the child, a number of serious birth injuries from the context of injury to the mother. She has also dealt with TVT, kidney and urinary injuries, life changing injuries to sight and the creation of prescription drug addiction. Jayne has also appeared in numerous inquests arising from alleged medical errors.

Sports

Jayne has acted in several interesting sports-related cases, including a number of claims for the British Gymnastic Society involving high level gymnastics and trampolining injuries.

Memberships

Personal Injuries Bar Association

Nottinghamshire Medico-Legal Society

Education

LLB, University of Birmingham

Notable Cases

Hayward v Zurich Insurance [2017] AC 142. Deceit; fraudulent misrepresentation; personal injury; setting aside; settlement.

Hill & Billingham v Lloyds British Inspections Services Ltd & Others [2013] EWHC 520. Asbestos; establishing the test for exposure between 1965 and the introduction of the Asbestos Regulations 1969 to be measured by TDN 13.

Dalton v Gough Copper & Co Ltd [2014] EWHC 1556. Appeal from an Asbestos Master leading to setting aside judgment in default and ultimately discontinuance of the claim.

Robinson (Personal Representative of Frederick Lugay Deceased) v Hammersmith & Fulham LBC [2017] EWHC 1823. Where the local authority successfully defended allegations of breach of duty in a mesothelioma claim arising from occupancy of local authority housing.

Dunn v National Grid Gas PLC [2010] Lawtel. Level of damages, mesothelioma.

White v E.On [2008] EWCA Civ 146. Limitation, HAVS.

Brett v University of Reading [2007] EWCA Civ 88. Breach of duty, mesothelioma.

Recommendations

"Her ability to pick up key issues quickly and being able to explain complex matters to clients in an approachable and use friendly manner. She is technically excellent on disease related issues and is a pleasure to instruct."

- Legal 500 2022 - Personal injury

"Very personable, popular with clients and an excellent negotiator." "She is undoubtedly at the top of her game." "She presents her cases extremely clearly and forcefully." "A tremendously personable individual."

- Chambers & Partners 2021 - Personal injury and highlighted in the industrial disease Spotlight Table

"Her firm but fair approach to JSMs engenders respect, while her grasp of medical issues allows her to provide incisive and insightful advice."

- Legal 500 2021 - Personal injury

"She's excellent to deal with and very straightforward." "She's everything you could want in a KC; she's pragmatic, her advice is very clear and she's very well respected in the market." "There are no airs about her – she's pragmatic, straightforward, and her advice is very clear. She has a reputation for being firm but fair."

- Chambers & Partners 2020 - Personal injury and highlighted in the industrial disease Spotlight Table

"She provides clear, insightful and incisive advice."

- Legal 500 2020 - Personal injury and clinical negligence

"Her knowledge in all aspects of asbestos-related claims is second to none – she's an intellectual leader in this field." "She takes a very forensic approach to the evidence available and when handling witnesses, gently probing them to get the information out." "She's completely on top of her game. She's highly sought after, well respected and an excellent all-rounder." "She's robust in court and very good with clients."

- Chambers & Partners 2019 - Personal injury and highlighted in the industrial disease Spotlight Table

"A leading light in asbestos cases."

- Legal 500 2019 - Personal injury and clinical negligence

"Highly esteemed for her experience in industrial disease claims. She has a related specialism in clinical negligence claims and also frequently handles matters involving fraud." "Very knowledgeable in relation to all diseases and impressive tactically and in court." "Thorough, attentive and sharp." "She is calmness personified and has an excellent ability to distinguish the wood from the trees."

- Chambers & Partners 2017 - Personal injury (Band 1 and in the Spotlight Table for Disease Practitioners)

"Level headed and approachable."

- Legal 500 2017 - Personal injury and clinical negligence

"Highly esteemed for her experience in industrial disease claims. She frequently handles matters involving fraud and is commended for her client care." "Jayne has excellent attention to detail, is robust and concise in her advice and is able to come up with practical solutions." "Very thorough and good on her feet." "Highly regarded for her expertise in industrial diseases and fraudulent claims. She is recognised for her strong advocacy skills, responsiveness and client skills."

- Chambers & Partners 2016 - Personal injury (Band 1 and in the Spotlight Table for Disease Practitioners)

"Down to earth while remaining tenacious with the opposition."

- Legal 500 2016 - Personal injury and clinical negligence

- Barrister of the Year 2016 - Nottingham Law Society

"She is good with clients and speaks to them naturally and without jargon. She's got a very good brain, and takes a sensitive approach to cases."

- Chambers & Partners 2015 - Personal injury

"Very good on her feet."

- Legal 500 2015 - Personal injury and clinical negligence

"Acts across the spectrum of personal injury litigation for both Claimants and Defendants. She is highly regarded for the breadth and depth of her experience, particularly in serious personal injury and disease claims, and for her courtroom advocacy. 'She's extremely good with clients and on her feet. She's very thorough and good to work with.'"

- Chambers & Partners 2014 - Personal injury (Band 1)

"Jayne Adams is recommended for her 'strong court presence.'"

- Legal 500 2014 - Personal Injury and Clinical Negligence

"Jayne Adams acts for both Claimants and Defendants on a broad range of matters. Industrial disease, product liability and fatal accident claims all fall within her remit."

- Chambers & Partners - Personal Injury (Band 1)

"The 'tough but fair' Jayne Adams 'presents cases very well' and wins plaudits for her approachability and judgement. She has broad experience in asbestos-related, deafness and HAVS litigation."

- Chambers & Partners - Personal Injury (Band 1)

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