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Alexandra Pountney	3
Overview	3
Expertise	4
Personal Injury	4
Clinical Negligence	4
Inquests	5
Disease	6
Counter Fraud	6
Professional Memberships	6
Education	7
Notable Cases	7
Recommendations	8



Alexandra Pountney

Year of Call: 2014

Telephone: 0115 947 2581

Overview

Alex enjoys a busy and fast-paced practice, focusing on personal injury, clinical negligence, inquests and industrial disease. She is regularly instructed in high-value and complex cases, with a skill for unpicking challenging issues of medical causation and knotty factual disputes.

Robust in oral and written advocacy, Alex's practice includes a healthy mix of Claimant and Defendant work. She prides herself on being balanced and approachable to both professional and lay clients.

With an eye for detail, Alex is adept at working her way through voluminous documents and conducting conferences with experts across a range of disciplines.

Alex assisted with legal research in the landmark case of *Zurich -v- Hayward* [2017] AC 142. She regularly advises and provides representation in cases involving allegations of fraud or fundamental dishonesty.

Before coming to the Bar, Alex worked in a busy clinical negligence team at a firm of solicitors. She has also worked for the Criminal Cases Review Commission, where she drafted submissions to the Ministry of Justice on proposed legislative changes to the law of joint enterprise.

Alex studied Philosophy and Politics at the University of Southampton. She completed the GDL and BPTC at the University of Law, where she was awarded the BPTC Advocacy Prize for obtaining the highest advocacy marks in her year. She is a Benefactors' Scholar of the Middle Temple and received the Kalisher Internship Award in recognition in of her potential to succeed at the Bar.

Away from the Bar, Alex enjoys travel, yoga and wine.

Expertise

Personal Injury

Alex is approachable, diligent and client-focussed. She has developed a demanding and successful personal injury practice and is often requested for her pragmatic and sensitive approach.

She represents Claimant and Defendants in fast track and multi-track disputes, involving:

- Employers' liability (including abuse, assault and harassment)
- Public liability
- Occupiers' liability
- Defective premises
- Product liability
- Animals & equine
- Road traffic accidents (including insurance fraud)
- Claims against local authorities (including highways act 1980 claims)

Experienced in personal injury litigation, Alex has pursued and resisted allegations of fraud and fundamental dishonesty on behalf of Claimants and Defendants.

Alex has a broad paperwork practice. She accepts instructions for both advice work and drafting. She prides herself on her ability to give firm, fair and focussed advice.

Examples of Alex's recent work include:

- Advising a nationwide insurance company on the policy position in relation to claims for personal injury arising out of acts of terrorism.
- Representation and advice in a claim involving the physical abuse of a child at a school by a teaching assistant.
- Advice in an employers' liability claim arising out of a serious assault on a care assistant by a service user at a facility for people with complex care needs. As a result of the assault, the Claimant sustained significant physical and psychological injuries. With Alex's input, settlement was achieved before trial.
- Advice in a serious injury claim arising out of a sky-diving accident. This case involved the input of an aviation expert, alongside medico-legal experts.
- Advice in an employers' liability claim arising out of a serious assault on a shop assistance when she was the victim of an armed robbery at work. The Claimant suffered severe Post Traumatic Stress Disorder, alongside various other injuries. With Alex's input, settlement was achieved before trial.
- Advice and drafting in a serious injury claim worth over £500,000 against the Motor Insurers' Bureau. With Alex's input, settlement was achieved before trial.

Alex is willing to accept instructions on a pro bono or conditional fee basis, where appropriate.

Clinical Negligence

For a number of years before she came to the Bar, Alex worked in a busy clinical negligence team at a solicitors' firm. Her knowledge and experience has served her well in her developing clinical negligence practice in Chambers. She has experience of high-value and Fatal Accidents Act claims. She has a particular interest in claims involving challenging causation arguments.

Some examples of the types of cases in which she has experience of are:

- Failure to diagnose ectopic pregnancy;
- Pressure sores;
- Wrongful birth;
- Failures in neonatal care;
- Birth injuries;
- Hepatopancreatic-biliary surgery;
- Podiatric surgery;
- Failure to correctly assess and monitor a patient detained under the Mental Health Act 1983; and
- Failure to diagnose warnings signs of a stroke.

Alex has experience of conducting conferences with and questioning experts across a range of disciplines.

She accepts instructions to advise, draft pleadings and provide representation across a broad range of clinical negligence work. Her approachable, diligent and client-focussed approach means that she will provide friendly, pragmatic and sensitive advice in all cases in which she is instructed.

In addition to the above, she has experience of representing parties at inquests.

Alex is willing to accept instructions on a pro bono or conditional fee basis, where appropriate.

Inquests

Alex's experience includes inquests involving deaths of vulnerable persons in care homes (including adults subject to DOLS), in or related to medical care (both primary and secondary), road traffic accidents and accidents at workplaces.

She regularly acts for families and other interested persons throughout the inquest process. Alex routinely advises in conference before the inquest process begins, and she prides herself on ensuring that she fully explores the concerns of families and interested parties at an early stage. She appears at pre-inquest review hearings and inquests. Alex is involved in cases where civil or criminal proceedings are intended to follow, and those where they are not.

As a result of her trial experience in other areas of her practice, Alex is particularly adept at witness handling. Alex understands the fine balance that needs to be struck in coronial proceedings and she has a keen appreciation for the potential consequences of the coroner's findings in subsequent proceedings. This is reflected in her diligent approach to pre-inquest conferences.

Alex has experience of inquests involving considerations of the engagement of Article 2 of the ECHR and prevention of future death reports.

Examples of work include:

- Advising in and representing a care home at an inquest touching the death of a vulnerable adult where there were allegations of neglect.
- Advising in and representing the family in the inquest into the death of a premature baby who died as a result of cerebral venous thrombosis.
- Representing an insurer at the inquest touching on the death of a child who died in an explosion at a small business. The use of a 3D printer together with hydrocarbon propellants was the ignition source for an explosion which caused a quantity of fireworks to explode.
- Represented a family at an inquest touching on into the death of a baby who died as a result of anaphylaxis.
- Represented an insurance company in a head on road traffic accident where one of the drivers was under the influence

of alcohol and drugs.

Alex welcomes instructions from families and other interested parties for inquests and pre-inquest reviews. She is willing to accept instructions on a pro bono or conditional fee basis, where appropriate.

Disease

Alex has a busy industrial disease practice. She is regularly instructed by both Claimants and Defendants across a broad spectrum of industrial disease work. She has experience of claims involving:

- Noise-induced hearing loss (including claims for acoustic shock).
- Hand arm vibration syndrome.
- Carpal tunnel syndrome.
- Asbestos-related chest disease.
- Repetitive strain injury.
- Coshh (including industrial asthma and dermatitis).
- Occupational stress.

She is regularly instructed to advise pre-trial on complex issues of medical causation, breach of duty and limitation. Her practical approach is an asset in this area of practice. Alex has experience of conducting conferences with medical experts, engineers and lay clients. She accepts instructions to advise in conference both by telephone and in person (including site visits). She is also experienced in claims brought on behalf of a deceased's estate.

Examples of her recent work include:

- Advice and drafting in a HAVS case involving a young Claimant, with a value of approximately £250,000.
- Representing a Defendant in a claim for acoustic shock as a result of an explosion on a construction site.
- Advice and drafting for a Claimant in an industrial dermatitis case against a well-known restaurant franchise.
- Representing a Defendant in a claim for asbestosis as a result of historic exposure to lagging in boiler rooms.

Counter Fraud

Having assisted in the landmark *Supreme Court decision of Zurich Insurance Company v Hayward* [2017] AC 142, Alexandra is regularly instructed to advise and represent Defendants in cases involving suspected exaggerate, fraud or dishonesty, relating to both injury and alleged financial losses. She has a zero-tolerance approach to fraud and dishonesty and is often instructed for her robust approach throughout the litigation process.

Alexandra has experience, and is happy to receive instructions, all aspects of suspected fraudulent claims: motor claims (including fraud rings, inflated or fictitious credit hire and storage claims, phantom passengers, staged accidents, and low velocity impact claims), employers' and public liability claims.

Professional Memberships

- Personal Injuries Bar Association (PIBA)
- Nottinghamshire Law Society (NLS)

Education

- BA (Hons), Philosophy & Politics, University of Southampton
- Graduate Diploma in Law, University of Law
- Bar Professional Training Course, University of Law

Notable Cases

- ***Inquest touching on the deaths of Mr William Doleman, Mrs Anita Burkey, Mr Peter Sellers, Mrs Carol Cole***. This case has attracted media attention. To read an example article, [click here](#).
- ***Inquest touching on the death of Phoenix-Jo Martin Wyn Jones***. An inquest into the death of a premature baby who died of a catastrophic brain bleed, but where there were findings of non-accidental injury in the form of rib fractures. The matter attracted local media interest. To read an example article, please [click here](#).
- ***Zurich v Hayward***. Alex assisted on what started off as a relatively standard personal injury action that, by reason of the unusual factual development of the evidence and its journey through the Courts, gave rise to an important decision of principle in relation to personal injury actions involving fraud. To read more about this case, [click here](#).

Recommendations

"Alexandra is an extremely professional and reliable counsel who never fails to impress with her mastery of the brief and, likewise, her empathetic approach to clients."

- Legal 500 2023

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