



Ellen Robertson

Call 2013

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Ellen Robertson enjoys a busy court practice primarily in personal injury, civil fraud, inquests and inquiries and clinical negligence.

She acts for both claimants and defendants in trials, appeals and applications as well as costs and case management conferences.

In her inquest work, Ellen has particular experience of inquests where civil or criminal litigation is being contemplated and Article 2 inquests arising out of deaths in prison or detention under the Mental Health Act.

Expertise

Personal Injury

Ellen has extensive experience in the field of personal injury. She routinely represents claimants and defendants in claims and appeals arising out of road traffic accidents, employers' liability matters and public liability matters. Ellen has particular experience in matters involving multiple defendants and in advising on liability and costs issues arising in those cases. She is regularly instructed to draft pleadings and to advise on quantum in cases with complex medical evidence.

Ellen takes pride in her sensitive and approachable manner. She frequently represents vulnerable claimants, including claimants with severe PTSD and chronic pain.

Ellen regularly acts in fatal accident claims, often where she is first instructed at the inquest. She has considerable experience of claims arising out of deaths in healthcare settings and accidents at work.

Ellen is currently editing *Binghams Personal Injury and Motor Claims Cases* (2023) and edits the chapters on Passengers, Pedestrians and Liability of Children.



Inquests & Inquiries

Ellen has been involved in numerous high-profile and sensitive inquests, including deaths in prisons and in police custody. She has acted for families and other interested persons in inquests arising out of deaths on the railway, deaths at work, deaths abroad and deaths in hospital. She has particular experience of representing NHS trusts in deaths occurring within mental health units.

She was instructed on both the Independent Inquiry into Child Sex Abuse and the Grenfell Tower Inquiry, and was junior counsel in the London Bridge inquests.

Ellen also has experience of resumed inquests following criminal proceedings and of inquests resulting in referrals to the CPS.

Ellen often represents her inquest clients in subsequent fatal accident claims following her involvement at the inquest.

Ellen is ranked in Inquests and Inquiries in Legal 500.

Clinical Negligence

Ellen's experience in inquests and fatal accidents work enhances her clinical negligence practice. Ellen has experience of claims arising out of delayed diagnoses, injuries arising during childbirth and failures to identify nerve injuries.

Ellen is keen to expand this area of her practice, given her extensive experience in representing both families and NHS trusts in inquests arising out of deaths in surgery and in other healthcare settings.

Ellen is a regular contributor to the TGC Clinical Negligence newsletter.

Motor Insurance Fraud

Ellen is experienced in advisory work, drafting and trials involving allegations of fraud and fundamental dishonesty. Ellen is frequently instructed by insurers to deal with fraud rings, phantom passengers, exaggerated claims, late intimation and concerns regarding credit hire.

She routinely secures enforceable costs orders on behalf of Defendants following findings of fundamental dishonesty, and has experience advising and acting for Defendants on the enforcement process where enforceable costs orders have been made. Ellen has also successfully resisted appeals against findings of fundamental dishonesty.

Ellen is a regular contributor to TGC's Fraud Update newsletter.

Costs & Litigation Funding

Ellen acts for both Claimants and Defendants in costs and case management conferences and frequently advises on matters of law and likely arguments in relation to costs disputes. She has particular expertise in

the application of QOCS and its exceptions and has been published in PI Focus on the various routes now open to Defendants to seek enforceable costs orders in claims where QOCS protection applies.

Ellen writes regularly for the TGC Costs Newsletter, having recently written articles on the drafting and consequences of Part 36 offers, on assessments of costs between solicitors and clients, the application of QOCS in mixed claims and on the exceptional circumstances test for escaping fixed costs regimes.

Health & Safety

Ellen is experienced with health and safety issues arising out of her personal injury, fatal accidents and inquests practices, and in particular is familiar with issues arising from incidents on construction sites.

Through her inquests practice as well as through her experience with personal injury and fatal accidents matters, Ellen has particular experience of deaths at workplaces where there is HSE involvement.

Ellen is keen to expand this area of her practice, and to accept instructions to appear in the Magistrates Courts or Crown Courts in health and safety matters. She is a member of the Health & Safety Lawyers' Association.

Awards

- Middle Temple Queen Mother Scholar (2011)
- Worcester College Simmons & Simmons Scholar (2009)

Education

- BPTC, Kaplan Law School (2013)
- BA (Jurisprudence), Worcester College, University of Oxford (2011)

Languages

- Welsh (Intermediate/Canolradd)

Memberships

- Personal Injury Bar Association
- Health & Safety Lawyers' Association