



## Emma-Jane Hobbs

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Emma-Jane Hobbs is a very experienced practitioner who began her career doing a broad range of general common law work and has specialised in personal injury and insurance litigation for over twenty years now.

Emma-Jane also does clinical negligence work, motor insurance fraud and costs work. She has considerable experience of cases involving fundamental dishonesty and related costs arguments and consequences. Emma-Jane also has appreciable inquest experience, which dovetails well with her personal injury and clinical negligence practices.

## Expertise

### Personal Injury

Emma-Jane specialises in personal injury and maintains a good balance between representing both Claimants and Defendants / insurance companies, which provides helpful insight into both sides' arguments. She has invaluable experience of assessing the strengths and weaknesses of both sides' cases and evaluating the likely outcome of litigation at an early stage. She is instructed regularly by some of the leading claimant and defendant solicitors.

Emma-Jane undertakes almost all kinds of personal injury work and is well versed in high value, catastrophic and complex injury claims, including injuries involving brain and spinal damage, chronic or complex regional pain, and secondary victim, psychiatric injury claims. She has particular experience and specialism in fatal accident claims, including those with complicated dependency claims.

In the Claimant context, Emma-Jane is adept at dealing with anxious and often vulnerable clients with compassion and empathy, balancing careful handling of complex and sensitive matters in a collaborative manner with a view to adding value to the claim, with giving realistic and firm advice when necessary. Often, her early involvement in claims, advice about appropriate expert evidence and detailed and well-thought-out schedules, combined with a well-pitched Part 36 offer, results in settlement of high value claims being achieved within the limitation period, avoiding the need for litigation.



In the Defendant context, Emma-Jane is instructed regularly by large insurance companies to advise on liability, evidence, contributory negligence, causation, quantum and tactics, employing the full range of resources available to a defendant insurer defending a high value personal injury claim, as well as running cases to trial. She is often instructed to draft detailed and robust counter-schedules in high value claims and advises on myriad issues, maintaining both tactical and commercial awareness.

Emma-Jane has wide ranging experience of dealing with complex, high value claims involving extensive documentation and multiple experts. She enjoys working collaboratively with her instructing solicitors and clients to achieve excellent outcomes.

She is well versed in costs arguments and is regularly instructed to attend costs and case management conferences.

Emma-Jane believes that ADR is beneficial to both sides and regularly attends mediations and joint settlement meetings, where her practical, straightforward yet robust negotiating skills ensure that her clients obtain a favourable outcome.

## Clinical Negligence

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Emma-Jane's practice in this area complements her personal injury practice. Her experience covers a broad variety of cases including claims against cosmetic surgeons, dental and general practitioners, NHS Hospital Trusts as well as fatal accident cases; for example, misdiagnosed DVT leading to cardiac arrest and death, and delayed cancer diagnoses leading to premature death.

Her experience in this area includes inquests and she has represented parties in fatal accident clinical negligence cases from the inquest through to trial or settlement. She is compassionate and empathetic when dealing with clients.

Current instructions include acting for Claimants (the executors of the Estate of the deceased) in a fatal accident case involving a delayed lung cancer diagnosis, which involves a significant number of dependants and complicated dependency claims.

## Motor Insurance Fraud

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Emma-Jane works exclusively for Defendant insurance companies in this area. She has significant experience of all aspects of motor insurance fraud including drafting detailed and analytical pleadings; advising and representing Defendants in cases involving fraud rings; staged and fabricated accidents; exaggerated or fundamentally dishonest claims; cases involving telematics; and bogus credit hire claims.

In cases where fraud is suspected or alleged, she regularly advises insurers in relation to tactics, including making applications to strike-out claims as an abuse of process, setting aside QOCS, and appropriate applications for costs when there has been late discontinuance of a claim.

Emma-Jane also has experience of recovery and enforcement actions, insurers' claims for exemplary damages against fraudulent Claimants, and committal proceedings.



## Inquests & Inquiries

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Emma-Jane's experience of coronial hearings complements her personal injury and clinical negligence practices.

She has represented interested parties at inquests following which a Regulation 28 Report to prevent future deaths has led to important policy change. For example, Emma-Jane represented the family of a 2-year-old boy who died as a consequence of an infection despite having been seen by several medical professionals in the days before his death. Ultimately, he was brought into Northwick Park Hospital Accident & Emergency reception and redirected to the GP led Urgent Care Centre where he was triaged and seen by a GP who, after examining him, sent him home without appropriate advice. The paediatric expert would have admitted him when he attended A & E, whereas the GP would not have sought to ask for him to be admitted, which reflected a lower threshold for admission for paediatric cases by paediatricians. Had he been admitted, he would have been recognised as seriously unwell earlier and would not have died when he did.

Following the Coroner's Regulation 28 Report, there was a change to the paediatric referral pathway delivered at the Urgent Care Centre at Northwick Park Hospital, whereby a child under the age of 5 years that presents to the UCC having already accessed healthcare services on 2 or more occasions over a 5-day period will instigate a referral for paediatric review, with a view to preventing similar, avoidable deaths in future.

Emma-Jane has past experience of public inquiries, having been instructed as junior counsel by the HSE in the Ladbroke Grove Rail Inquiry.

## Education

- Bar Vocational Course, Inns of Court School of Law
- CPE Postgraduate Diploma in Law, University of Westminster
- BA (Hons), Bristol University

## Memberships

- Personal Injury Bar Association
- Association of Personal Injury Lawyers