

Year called 2010

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Legal 500 2021

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Legal 500 2020

Angela Rainey practises across the range of chambers’ civil liability work, specialising in insurance fraud and indemnity; commercial disputes; clinical negligence and personal injury; accidents abroad; and claims with jurisdiction and choice of law disputes.

Angela is known for her practical and strategic approach to litigation, her easy and direct manner with professional and lay clients, tenacious yet measured advocacy and her rigorous cross-examination. She regularly attends joint settlement meetings and mediations, and engages actively in all forms of ADR throughout her cases. She is a skilled negotiator with a strategic approach.

Angela’s experience attending detailed assessments and appeals in the SCCO, alongside costs advisory work, has informed her strategic approach to litigation, including ADR and interlocutory hearings, and advice in relation to compromising claims (whether under CPR part 36 or otherwise).

She frequently appears at trial and interlocutory hearings in the High Court and the County Court, and at appeal hearings. She undertakes the full range of pleading and advisory work.

PRACTICE AREAS

- Insurance Fraud
- Commercial
- Clinical Negligence
- Personal Injury
- Costs

SECTORS

- Sport

PRACTICE AREAS

INSURANCE FRAUD

Angela has a thriving defendant fraud practice, having successfully defended many claims either at trial, through negotiation, or by securing discontinuance following service of a robust defence. She is known for her direct, approachable manner with both professional and lay clients, detailed case preparation, and effective advocacy with rigorous cross-examination.

Her experience spans the range of such claims including issues with indemnity, employer's liability, public liability or product liability claims involving fraud or suspicious factors (including chronic pain or similar conditions and when to deploy surveillance footage).

Angela has particular interest and experience in more complex RTA fraud cases requiring expert evidence and has worked with major vehicle manufacturers on sensitive cases requiring detailed analysis and accident reconstruction. She enjoys the forensic challenge of assimilating and distilling engineering evidence or other data.

She is often instructed at the earliest stage of a suspicious claim to advise as to pre-action strategy (including commercial offers, disclosure, PADs, and privilege), and in conference as to witness credibility and case strategy.

Professional clients value her sound judgment, borne out by success at trial or early discontinuation of suspicious claims. Angela is regularly instructed to advise when to plead fraud and works with the existing team to progress the claim. Her experience extends to litigation with connected suspicious claims (issued or intimated) and the case management thereof, including consolidation, split trial, and section 57 applications.

Suspicious claims inevitably involve costs arguments, including the appropriate use of the offer regimes, indemnity costs and the disapplication of the QOCS regime. Angela's experience at detailed assessment informs

her tactical and strategic approach to recovery of costs.

Recent experience includes:

- Trials, the full range of interlocutory applications and appeals;
- Successfully defending a multiday trial on liability enabling settlement of a complex dispute on indemnity, extending to a number of connected claims;
- Applications for costs under CPR 44.15 and 44.16 wasted costs;
- Advising in relation to strike out and section 57 applications.

INTERNATIONAL COMMERCIAL FRAUD

Angela has a special interest, and niche experience, in international commercial fraud work and compliance, having been part of a team of lawyers instructed to undertake internal investigations into alleged bribery and corruption in a number of international commercial companies, which extended into a number of countries. This investigation was run in connection / conjunction with a US led SEC investigation. She advises as to the enforceability of judgments, injunctive relief and other related issues.

COMMERCIAL

Angela is an experienced practitioner covering the full spectrum of commercial work, including advocacy; drafting pleadings; advising as to the proper construction and effect of contractual terms and conditions; strategy and settlement; and reviewing complex settlement agreements.

She is regularly instructed to appear in the High Court and the County Court in respect of trials, interlocutory applications, and in relation to injunctive relief.

She is a skilled negotiator, always with the bigger picture in mind, and is instructed to attend mediations and to advise on ADR generally.

Her experience includes:

- Multi-party contractual disputes as to terms, indemnities and enforceability;
- Arbitrations;
- Disputes as to indemnity or guarantees;
- Solicitor / Client disputes as to retainer, and fees and professional negligence;
- Injunctions, including applications for delivery up involving metadata, and preservation of evidence under CPR 25;
- Commercial debt claims;
- Drafting and advising on compromise agreements, including being instructed to advise as to the setting aside of compromise agreements.

CLINICAL NEGLIGENCE

Angela is experienced in high value and complex clinical negligence cases, acting for both claimants and defendants.

Angela accepts instructions as junior counsel, but has handled cases pleaded over £1 million as sole counsel and

is instructed in multiday high court actions. Angela has significant additional experience assisting leading counsel in multi-million pound actions.

Angela is meticulous when reviewing expert reports, and confidently conducts conferences together with multiple experts (and/or professional witnesses) across a range of medical disciplines. Angela's ability to assimilate, memorise, and communicate in clear terms complex medical information arises out of a profound interest in the subject matter. She is rigorous when cross-examining or questioning experts and is an unflappable advocate.

Her experience includes a wide range of such cases. Examples of her most recent cases are as follows:

- *Hip Replacement Litigation* – directly instructed by the NHR (NHSLA) in relation to drafting pleadings and trial in related claims;
- Alleged negligent failure to detect DVT;
- Obstetrics negligence, including claims arising out of acquired brain or nerve damage;
- Complex urological, gynaecological and colorectal issues, often involving multiple overlapping injuries;
- A case concerning a severed ureter with widespread permanent consequences (settled at JSM)
- Urological injuries generally;
- Cases concerning alleged late diagnosis of anorectal cancers (on-going), serious bowel injuries requiring multiple corrective surgeries and stomas;
- Optometrist and ophthalmologist negligence;
- A recent claim concerning injection of botox into a claimant's oesophagus, resulting in infection to his spinal cord (settled at JSM);
- Such claims often involve additional features of chronic pain, CRPS or suspected malingering.

An example of recent experience with expert handling includes:

- Conferences with experts before finalisation of their reports;
- Drafting agendas for expert meetings;
- Cross-examination of experts at trial.

In such cases, Angela has been instructed in multi-day trials in the High Court, the County Court, and regularly attends joint settlement meetings. She undertakes the full range of advisory and drafting work, including the use of Ogden tables and actuarial calculations as to future loss.

PERSONAL INJURY

Angela is an experienced practitioner across the full range of such claims. She has acted in high value and sensitive cases, including brain and spinal injury on behalf of claimants and defendants. She regularly acts in RTA cases and has experience as junior counsel in instructed claims involving detailed expert analysis and accident reconstruction, often with jurisdictional issues and conflicts points.

EL, PL & PRODUCT LIABILITY

Angela accepts instructions from claimants and defendants in Employers' Liability ("EL"), Public Liability ("PL") and product liability cases, and is regularly instructed by local authorities in relation to a wide variety of such

claims. Her commercial expertise is valued by clients where there are multiple defendants and contractual indemnity disputes.

Angela is instructed by celebrity clients, is skilled at pleading the more complex future loss calculations and causation arguments that arise in such claims, and is sensitive to confidentiality and disclosure issues that may pose particular concern to clients in the public eye. Her discretion is absolute and a variety of her general work has been highly confidential.

Recent experience includes:

- Road Traffic Accidents (sole and junior counsel);
- Product liability, including vehicles, lifts, escalators, lasers and other dermatological equipment, and various other machinery;
- PL acting for claimants and defendant companies in a wide variety of such cases;
- EL in a wide variety of cases, including the application of the legislative framework and strategy in claims brought post-ERRA. She frequently acts on behalf of companies and local authorities.

JURISDICTION & CONFLICT OF LAWS

Angela has specialist experience in jurisdiction disputes and choice of law issues arising out of accidents abroad or within the jurisdiction concerning foreign nationals, including accidents in the air.

Angela has been instructed as sole and as junior counsel in high court preliminary trials, and has been instructed to attend many JSMs with a significant jurisdictional or conflicts dispute. She undertakes advisory work as to the appropriate application of the EU and international legal framework regarding jurisdiction and choice of law, case strategy including the appropriate instruction of foreign experts, and litigation costs. Her experience as a specialist PI practitioner outside the confines of claims with a foreign element enhances her detailed and strategic approach to quantum in such cases, and is of particular advantage at settlement meetings.

Recent experience includes:

- Junior Counsel in a multi-million pound PI claim for post-traumatic brain damage arising out of an accident abroad – directly instructed to advise in relation to jurisdiction as a preliminary issue involving complex and novel legal issues;
- High Court preliminary trials on jurisdiction, including Brussels I (where applicable) and Brussels I (Recast) disputes;
- Lugano Convention cases;
- Choice of law/conflicts points generally, and Rome II;
- The *Vauxhall Helicopter Crash* litigation – instructed on behalf of a Defendant in a High Court action;
- Instructed on behalf of a Defendant employer in an intimated High Court action concerning a helicopter crash in Africa, with complex issues as to both jurisdiction, choice of law and assessment quantum (settled favourably at JSM);
- Assisting in a multi-million product liability case involving a quad bike accident in Iceland;
- A variety of travel claims arising out of accidents in a variety of EU countries.

INQUESTS

Angela is regularly instructed to attend Inquests. Her most recent experience was representing a London borough at a 5-week Article 2 inquest concerning a deceased starting a fire in a block of council flats, with inquiry into the legality of the policies of a number of state agencies. She is comfortable in front of a jury.

- Inquest touching the death of Michael Thompson, before the Senior Coroner at Southwark (July/August 2017).

COSTS

Angela has a specialist costs practice, appearing regularly in the SCCO. Her skill in detailed costs work enhances and informs her strategic approach to litigation.

Her experience includes:

- Detailed assessment;
- Costs & Case Management Hearings;
- Applications for indemnity costs;
- Fundamental dishonesty and the disapplication of QOCS;
- Advisory work;
- Notable cases include successfully defending an appeal before the Senior Costs Judge in the SCCO in the case of *Art Access Research (UK) Limited v Peter Biro* (2013).

SECTORS

SPORT

Angela has experience in sports law disputes, including attending arbitrations and mediations. Such cases often involve commercial disputes with related employment issues regarding disciplinary process, summary dismissal, and alleged breaches of the implied term as to mutual trust and confidence.

She has acted as Secretary to the Tribunal in arbitrations conducted under the FA rules and has experience drafting arbitral awards.

Angela is a member of the Sports Resolution Pro-bono Panel.

RECOMMENDATIONS

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MEMBERSHIPS

COMBAR

PIBA

Sports Resolutions Pro-Bono Panel

FRU

NOTABLE CASES:

- *AXN & Others -v- John Worboys (1) Inceptum Insurance Company Limited (formally HSBC) (2) – Black Cab Rapist case*, instructed as junior to Edwin Glasgow QC.
 - *Vauxhall Helicopter Crash Litigation*
 - *Hips Replacement Litigation*
 - *Art Access Research (UK) Limited v Peter Biro (2013)*
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QUALIFICATIONS

2008/9 BVC, Very Competent: BPP

2007/8 Masters, BCL, University of Oxford, Balliol College

2004-2007, BA (Hons) Jurisprudence, University of Oxford, Balliol College

PRIZES

2008, Crown Office Mooting Prize

2007, Younger Society Moot, first place

2007, Holdsworth Society Mooting Prize, Oxford University

PUBLICATIONS

Section Editor of Butterworth’s Personal Injury Legal Service

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