

Louise Asprey

Deputy Head of Personal Injury team



YEAR OF CALL: 2007

INN: LINCOLN'S INN

Overview

Louise specialises in the clinical negligence, personal injury and inquest work. She undertakes a broad range of high-value and complex claims, often following her representation of interested persons at the related inquest.

Since her appointment to the Attorney General Regional Panel in 2015, Louise has developed her inquest practice in association with her clinical negligence and personal injury work which allows her to offer a complete service: taking a claim through the inquest and on to the civil trial.

Louise's ability to assimilate and analyse large amounts of information quickly, her ability to explain complex legal concepts in easily digestible terms, her personable and straightforward approach and her focused advocacy means that she is perfectly suited to both the inquisitorial and adversarial forums and is well practised in adjusting her approach to move between the two.

As a member of the Attorney General Regional B Panel, Louise is regularly instructed by the Ministry of Justice in lengthy inquests surrounding deaths in custody. She advises in those civil claims alleging breaches of the Human Rights Act following any such proceedings.

Louise is instructed by the Ministry of Defence in high value noise-induced hearing loss claims and non-freezing cold injury claims, usually where there are allegations of fundamental dishonesty.

Louise has particular experience of asbestos-related disease claims.

In addition to her Panel instructions, Louise is instructed in a wide range of personal injury matters, including road traffic accidents and employers' liability.

Louise is the Deputy head of the Clinical Negligence team and has significant experience of acting for both individuals and health providers in the context of clinical negligence claims. She regularly represents interested persons at inquests and then deals with the ensuing civil claim.

Louise also has gained extensive experience of acting and advising on high-value claims with complex loss of earnings and pension calculation issues. Louise regularly advises on these matters and is skilled at assisting with the best tactics required to achieve an early conclusion of proceedings.

Notable cases include:

- ▶ Acting for a Prison in a lengthy 4 week inquest and involving very sensitive issues.
- ▶ Acting for the Probation Service in a two week inquest involving four other interested persons.
- ▶ Acting for a Local Authority in a complex inquest, where the deceased was suffering from a serious mental illness but had no diagnosis at the time of her death.
- ▶ Acting for a healthcare provider in an inquest following an alleged delay in referral to the surgical team.
- ▶ Acting for a Local Authority in an inquest where the deceased suffered a fall down the stairs in his supported living accommodation. Alternative, single storey accommodation was being sought at the time. Article 2 was not considered to be engaged.
- ▶ Acting for a Defendant in a noise-induced hearing loss claim complicated by symptoms of PTSD which were unrelated to the alleged breach. Seven figures claimed, settled on favourable terms.
- ▶ Acting for the Defendant in a non-freezing cold injury claim with allegations of fundamental dishonesty. Claim struck out.
- ▶ Acting for the Claimant injured whilst working on a construction site, involving two defendants and an HSE prosecution. Settled for a six figure sum.
- ▶ Acting for the Defendant and successfully defending a claim by a prisoner who was assaulted and seriously injured by another prisoner.
- ▶ Acting for the Defendant in a fatal accidents claim following a death in custody and involving a claim under the Human Rights Act. Achieved settlement in advance of trial.
- ▶ Acting for the Claimant, a senior employee in a large organisation working overseas, who was injured in the course of undertaking a relatively straightforward manual task. Liability was established at trial.
- ▶ Acting for the Claimant, a horse rider who was injured in a road traffic accident. Liability successfully established at trial.
- ▶ Acting for the Claimant in a claim following a delay in diagnosis of a tumour. Settled on favourable terms.
- ▶ Acting for the MOD in a claim involving multiple Defendants and arising out of allegations of a delay in diagnosis of cancer.

Louise produces regular podcasts on inquests, listen here. She is also speaking at our forthcoming clinical negligence and personal injury conferences. Find out more here.

Clinical Negligence

Louise is the Deputy Head of the Clinical Negligence team and has extensive experience of acting for both individuals and health providers in clinical negligence claims involving a wide variety of injury and allegations of breach. Louise has particular experience of representing interested persons at lengthy inquests and then seeing the matter through to the conclusion of the civil claim, using the information gleaned from the inquest itself, to inform the progression of those claims.

Louise is acutely aware of how stressful the litigation process is for both individual claimants and clinicians alike. She is able to tackle the difficult issues head on but with sensitivity and care.

Notable cases:

- ▶ Acting for a healthcare provider in an inquest following an alleged delay in referral to the surgical team.
- ▶ Acting for the Claimant in a claim following a delay in diagnosis of a tumour. Settled on favourable terms.
- ▶ Acting for the MOD in a claim involving multiple Defendants and arising out of allegations of a delay in diagnosis of cancer.

Inquests & Public Inquiries

Louise regularly represents interested persons, both families and others with a relevant interest, in the Coroner's Court. She is pleased to accept instructions from any interested person involved in these proceedings which can, by their very nature, be particularly emotional and challenging.

Louise's personal injury and clinical negligence practices mean that she is well placed to advise and represent her clients beyond the inquest itself in the context of any related civil proceedings. She has particular experience of advising in respect of claims arising out of a breach of article 2 of the Human Rights act.

Notable cases:

- ▶ Acting for a Prison in a lengthy 4 week inquest and involving very sensitive issues.
- ▶ Acting for the Probation Service in a two week inquest involving four other interested persons.
- ▶ Acting for a family following the death of their child whilst on a school trip.
- ▶ Acting for a family following the death of their son who was living in supported accommodation at the time.

Personal Injury

Louise is instructed by the Ministry of Defence in high value noise-induced hearing loss claims and non-freezing cold injury claims, usually where there are allegations of fundamental dishonesty.

Louise has particular experience of asbestos-related disease claims.

Louise practices in the full range of personal injury claims. She has is experienced in claims arising out of road traffic accidents and claims brought under the Highways Act 1980 and the Occupiers' Liability Act 1957.

Notable cases:

- ▶ Acting for a Defendant in a noise-induced hearing loss claim complicated by symptoms of PTSD which were unrelated to the alleged breach. Seven figures claimed, settled on favourable terms.
- ▶ Acting for the Defendant in a non-freezing cold injury claim with allegations of fundamental dishonesty. Claim struck out.
- ▶ Acting for the Claimant injured whilst working on a construction site, involving two defendants and an HSE prosecution. Settled for a six figure sum.
- ▶ Acting for the Defendant and successfully defending a claim by a prisoner who was assaulted and seriously injured by another prisoner.
- ▶ Acting for the Defendant in a fatal accidents claim following a death in custody and involving a claim under the Human Rights Act. Achieved settlement in advance of trial.
- ▶ Acting for the Claimant, a senior employee in a large organisation working overseas, who was injured in the course of undertaking a relatively straightforward manual task. Liability was established at trial.

- ▶ Acting for the Claimant, a horse rider who was injured in a road traffic accident. Liability successfully established at trial.

Professional Memberships

- ▶ Member of the Personal Injury Bar Association.

Qualifications & Awards

- ▶ Louise is on the Attorney General's Regional Panel.
- ▶ Louise studied French at the Université d'Aix-Marseille before commencing her law degree. During the course of her four year law degree at the University of Exeter, she spent one year at the University of Robert Schuman in Strasbourg studying French Law and obtained the Certificate D'Études Juridiques Françaises. She speaks proficient French.
- ▶ After completing her degree she undertook the Bar Vocational Course at the Inns of Court School of Law.
- ▶ Louise completed a twelve month pupillage at Six Pump Court and joined Walnut House Chambers as a tenant in March 2010. Before starting her pupillage, Louise spent a year working as a paralegal in the litigation department of Clarkslegal, a commercial law firm.
- ▶ Louise was awarded the Sir Thomas Moore Bursary during her BVC year and the Cholmley Studentship during pupillage.

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