



Meredith Daniel



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Meredith has a broad practice with a particular interest in personal injury, clinical negligence, inquests and inquiries, and health and safety.

In her civil practice Meredith regularly appears in Fast Track matters as well as led and unled in Multi-Track matters. She has a particular interest in, and experience of, cases where there are allegations of fraud and has experience of cases involving fabricated accidents, exaggerated symptoms and symptoms which are inconsistent with the mechanism of injury. Further information on this can be found in the Civil/Insurance Fraud section of her profile. Meredith has experience of both personal injury and clinical negligence work and is regularly instructed by NHS trusts, local authorities and private companies.

Meredith is also regularly instructed in inquests and has experience of handling Article 2 inquests, inquests with a risk of a Prevention of Future Deaths Report and inquests concerning particularly sensitive deaths.

Meredith read law at the University of York, graduating first in her year and being the first person to be awarded First Class Honours (with distinction) in Law.

Prior to joining the Bar, she spent a year as the judicial assistant to Lord Justice Simon in the Court of Appeal where she predominantly worked on large commercial cases, but also gained experience across a broad range of practice areas. Meredith also worked at the Infected Blood Inquiry where her expertise was required in taking witness evidence from infected and affected individuals and in compiling reports evaluating information from thousands of pages of disclosed documents.

Health & Safety

With respect to health and safety work, Meredith has experience of cases involving accidents in the workplace and incidents involving members of the public. During pupillage Meredith spent 3 months being supervised by Mike Atkins and gained experience of a wide range of health and safety work. She also assisted in drafting a range of documents including a basis of plea, mitigation note and numerous opinions.

Inquests & Public Inquiries

Meredith regularly appears at inquests, and this is an area of her practice she is keen to expand. She is regularly instructed by NHS Trusts, care homes, local authorities and private companies. Her cases often involve physical health provision, mental health provision (including inpatient and community mental health care), suicide, mental capacity, social care, safeguarding, health and safety and road traffic accidents. She has experience of inquests of a particularly sensitive nature such as those involving suicides or the deaths of children or infants.

Meredith has acted as sole counsel in multiple inquests where Article 2 was engaged as well as jury inquests. She also has experience of acting in numerous PIRs which involved complex arguments on scope and the potential engagement of Article 2.

She has experience of acting in inquests in which there is a risk of a Prevention of Future Deaths Report and has made both oral and written submissions on the same. Her extensive personal injury practice means that she is well positioned to handle inquests where a claim has or may be brought in the future.

Meredith's recent experience of acting as sole counsel in inquests includes:

- A four-day Article 2 inquest representing an NHS trust following the death of a teenager by suicide following their discharge from in-patient mental health care. This inquest involved the added complexity that care was provided across two NHS Trusts;
- A two-week Article 2 jury inquest examining whether systemic failures in the co-ordination of mental health care in the year preceding a man's death were causative. This inquest involved making submissions following the case of Gorani on the extent to which her client, who was not a public body, ought to be affected by the engagement of Article 2;
- A three-day inquest representing two NHS trusts following the death of a baby from SIDS. This inquest involved the provision of written submissions concerning whether it was open to the coroner to find causation given the scientific research on SIDS;

<https://www.bbc.co.uk/news/uk-england-london-64375560>

- A one-day inquest representing an NHS trust following the death from sepsis of a woman who had been discharged from hospital following surgery;
- An inquest representing a care home relating to a death following an unwitnessed fall.
- An inquest representing a care home in respect of the death of a woman a few days after her discharge from the care home. In this case a local authority investigation had found multiple failings in the care provided and the crux of the case involved limiting the scope of both the investigation and conclusions to those matters which were causative. The result was a short form conclusion of natural causes;
- An inquest into the death of a man who was found unresponsive in his sheltered living accommodation concerning safeguarding procedures.
- Various inquests involving highway authorities concerning whether defects in the road surface or the design of road systems were causally related to fatal traffic accidents.

Before joining chambers, Meredith was part of the legal team at the Infected Blood Inquiry – the largest public inquiry in UK history. Meredith joined the inquiry shortly after it formed, when there were fewer than 15 people on the inquiry team (by the time she left there were more than 200). In the early stages of

the inquiry Meredith was responsible for travelling around the country to interview and draft statements for unrepresented infected and affected individuals in their homes. She was also responsible for designing the relativity system which would be used by the inquiry to tag and organise disclosure (documents were in the millions, spanning a significant time period, from a broad range of organisations/countries and covering diverse issues). Additionally, Meredith participated in the disclosure exercise and was responsible for drafting reports for Sir Brian Langstaff distilling the disclosure down and highlighting key issues, documents, conclusions and avenues for further exploration.

Meredith also worked on the appeal of a significant Coroner's decision while working as a judicial assistant in the Court of Appeal.

Personal Injury

Meredith has a broad personal injury practice spanning road traffic, employer's liability and public liability claims. She has extensive experience in conducting fast track cases and has acted in multiple multi-track cases both led and unled. Meredith has experience in advising and representing both claimants and defendants.

Meredith has particular experience in personal injury cases where there are concerns about fundamental dishonesty and more information can be found in the section on Civil Insurance/Fraud.

As well as extensive experience representing clients at trial, Meredith is regularly instructed in a range of interlocutory applications including strike out, relief from sanctions and extension of time. Meredith succeeded at first instance, and on appeal, in an application contesting the court's jurisdiction in a claim where the claim form was served in accordance with the notice of issue but not in accordance with the date on the claim form due to a procedural irregularity.

Meredith has experience drafting a wide range of documents in cases at a fast track and multi-track level including pleadings, schedules and counter-schedules, part 18 questions and part 35 questions.

Meredith's cases regularly involve three or more disciplines of medical evidence. She has experience acting for claimants and defendants in cases with complex, overlapping and pre-existing medical conditions.

Meredith is regularly instructed in the following types of cases:

- 1) Claims involving invisible injuries including tinnitus and whiplash. Meredith has a broad range of experience in these types of claims including conducting conferences with experts on complex matters of causation, drafting counter-schedules, advising on settlement and part 36 tactics, and conducting cross-examination of claimants based on inconsistent accounts of their symptoms.
- 2) Claims involving chronic pain. This includes experience with complex claims involving disputes between orthopaedic, psychiatric and chronic pain evidence.
- 3) Claims involving PTSD. Meredith has particular experience in advising and cross-examining in claims where there has been no contemporaneous reporting, or inconsistent reporting, with respect to significant psychological symptoms.

- 4) Claims involving traumatic brain injuries, both led and unled.
- 5) Highways Act cases concerning pedestrians, cyclists and drivers. This also includes experience of novel claims concerning liability where the claimant is using an e-scooter contrary to the Road Traffic Act at the time of the accident.
- 6) She recently acted on a Highways Act claim concerning whether or not an object placed into a defect by an unknown third party and which was the point of contact in the accident was capable of constituting a dangerous defect. Meredith successfully argued that the object did not constitute the fabric of the highway and the Claimant ought, therefore, be limited to a claim in negligence.
- 7) Outside of the Highways Act Meredith has experience of acting for utility companies where claimants have brought negligence claims against the utility company directly in respect of defective manholes or utility covers.
- 8) Employer's liability claims. This includes a broad range of cases including falls from height, slips, incidents involving stairs, and injuries caused by colleagues. Meredith's work on health and safety cases assists her when advising and making submissions on what is likely to be "reasonably practicable." Meredith has experience with claims involving repetitive strain injuries. This includes experience in cases concerning the repeated lifting of heavy objects and cases concerning the ergonomics of the claimant's work.
- 9) Cases concerning the Employer's Liability (Defective Equipment) Act 1969.
- 10) Public liability claims. This includes successfully arguing, following a significant finger trap injury, that the duty of care required of a pub did not extend to the installation of finger guards to doors in circumstances where the room was regularly used for children's birthday parties.
- 11) Dangerous dog cases. This includes drafting pleadings relating to the claimant being a trespasser in a case in which the claimant was permitted to enter the home but not to enter the room containing the dog.

Civil/Insurance Fraud

Meredith has significant experience of claims in which fundamental dishonesty is in issue and has secured fundamental dishonesty findings for her clients.

Meredith has experience of acting in a wide range of cases concerning fundamental dishonesty and has experience of the following:

- 1) Drafting pleadings which allege fundamental dishonesty.
- 2) Drafting part 35 questions in claims where significant inconsistencies in the claimant's reporting of symptoms, or a failure to report any symptoms, has been overlooked in the original expert report.
- 3) Making oral submissions and drafting written submissions on fundamental dishonesty and the disapplication of QOCs;
- 4) Drafting part 18 questions. This includes during the early stages of proceedings to clarify whether

fundamental dishonesty ought to be alleged, and shortly before trial to address matters which were vague or omitted from a witness statement.

- 5) Defending applications made by claimants shortly before, or on the day of, trial to adduce additional, and previously undisclosed, evidence to rebut allegations of fundamental dishonesty.
- 6) Specific disclosure applications where it is believed that the claimant has failed to disclose documents relevant to the defendant's case on fundamental dishonesty. This includes documents relating to previous accidents, unhelpful medical records, insurance documents showing contemporaneous accounts of the accident circumstances and financial and employment records which are inconsistent with loss of earnings claims.

Meredith also has experience of advising on whether fundamental dishonesty ought to be alleged. This includes advising on raising fundamental dishonesty at the pleadings stage but also where dishonesty markers are only identified shortly before trial, for example, as a result of the disclosure of medical records or witness evidence. Meredith also has experience of raising the issue of fundamental dishonesty at trial following matters arising during cross-examination.

Meredith's experience of cases involving fundamental dishonesty means that she is used to making judgment calls on balancing:

- the amount of information the claimant needs to be given in advance to constitute a sufficient fundamental dishonesty warning;
- the extent to which specific issues need to be raised in advance, for example through specific disclosure or part 18, so that the claimant is tied to a particular position; and
- what ought properly to be reserved for cross-examination.

With respect to the types of cases Meredith has been instructed in, these include claims:

- 1) Involving tinnitus, whiplash or extensive psychological symptoms where there is no objective way of establishing the injury.
- 2) Where the claimant is alleging symptoms which are inconsistent with social media or surveillance evidence.
- 3) Where the claimant has made inconsistent reports to medical experts.
- 4) In which the accident mechanism is not consistent with the injuries described.
- 5) Where the claimant has an extensive history of previous claims.
- 6) Where there are concerns about special damages claims including care claims, loss of earnings and future damages.

Criminal Regulatory & Environmental

Meredith's Criminal Regulatory practice encompasses both health and safety, environmental and driving offence work. She is regularly instructed in respect of both corporate and individual defendants and has experience of first appearances, advising on plea and conducting sentencing hearings.



With respect to Health and Safety work, Meredith has experience of cases involving accidents in the workplace and incidents involving members of the public. During pupillage Meredith spent 3 months being supervised by Mike Atkins and gained experience of a wide range of health and safety work. She also assisted in drafting a range of documents including a basis of plea, mitigation note and numerous opinions.

Meredith has experience of cases involving the Water Industry Act 1991, including offences related to the taking of water without the consent of the undertaker and cases where an unauthorised connection is made to a fire hydrant.

Meredith's motor offences work includes cases involving both careless and dangerous driving. She also has experience of cases involving s.170 of the Road Traffic Act and the difficulties caused when drivers attempt to report in ways which are not strictly compliant with s.170. Meredith's driving offences practice is complimented by her extensive personal injury practice and experience of handling witnesses who have experienced traumatic accidents.

Qualifications

- BPTC, BPP Law School (2017)
- LLM, Distinction (1st in year), University of York (2015)
- LLB Law, First Class Honours with Distinction (1st in year), University of York (2011-2014)