



Siobhan Lambertsen



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Siobhan Lambertsen practices in the areas of personal injury, industrial disease and clinical negligence.

She acts predominantly for Defendants, with a robust advocacy and tough cross-examination style, combined with a detailed and commercial approach to advisory work. She is sensitive to the particular requirements of individual solicitor and lay clients.

Clinical Negligence

Siobhan has broad personal injury practice with a developing interest in industrial disease and clinical negligence. She regularly appears in fast track and multi-track trials, interim applications and appeals at both county court and High Court level. Her practice also includes advisory work on behalf of claimants and defendants.

Personal Injury

Siobhan's experience is concentrated in the following main areas:

Road traffic cases:

Typically where liability is in dispute and often where substantial damages are claimed. She has significant experience in the spectrum of RTA cases including pedestrians and cyclists claims. She is also fluent in the use of liability experts such as accident reconstruction experts. Siobhan has extensive experience of fraudulent RTA claims- please see the Insurance Fraud section of her CV for further detail.

Recent cases: collision between a lorry and driver of sports car on a country lane; a cyclist knocked off bike at traffic lights by HGV; road traffic claims raising contributory negligence issues such as partaking in a criminal enterprise (a teenage 'joy-ride') and knowledge of a driver's consumption of alcohol and failure to wear a seatbelt. Also claims raising insurance issues, including indemnity, scope of liability of an RTA



insurer.

Employers' Liability cases:

Typically where liability is in dispute and often where substantial damages are claimed. She has significant experience in claims involving manual handling issues, work at height and alleged defective workstations.

Recent cases: included the successful defence of a cosmetics company sued by a make-up artist/sales assistant in relation to alleged back injury caused by the height of her workstation; the successful defence of a construction company against a claim by one its painters who alleged he was left carry and position large ladders on his own; an air steward allegedly suffering psychiatric injury through a failure to properly execute emergency procedures mid-air.

Public liability:

Regularly acts in tripping and slipping disputes in a variety of settings including highways, supermarkets, shops, car parks, hospitals and injuries at sports facilities (gyms, horse-riding lessons). She is very experienced in Highways Act claims, Occupier's Liability and defective premises claims (boilers, stairwells, common parts) and also disease claims (please see Occupational Disease section).

Recent cases: includes the successful defence of a shopping centre in respect of an alleged dangerous low wall in a carpark. Siobhan has also acted for beauty salons in claims relating to alleged negligent spray-tanning and hair removal treatment and a case of laser skin care treatment, which allegedly resulted in a worsened dermatological condition. A recent case involved a claimant fell off his bike on an uneven cycle lane and onto a spiked wooden-post in adjoining grassy verge. This involved multiple defendants and complex liability boundary disputes between different borough councils and conservation areas.

Chronic pain:

Siobhan often advises in cases where an apparently minor accident has resulted in complaints of significant ongoing disability and potential issues of exaggeration or malingering arise.

Industrial Disease

Siobhan has experience of the following types of claim:

Asbestos:

Her practice includes cases of asbestosis and diffuse pleural thickening. She has also experience of mesothelioma and lung cancer claims. She undertakes show-cause hearings in the High Court. She advises as to liability, causation and apportionment as well as assessments of damage.



Stress claims:

She has been instructed to draft pleadings and to advise on workplace psychiatric injury claims (including cases of over-work and bullying).

Recent cases: a teacher claiming employer 'over-loaded' his timetable despite allegedly being aware of a recent history of bipolar disorder and stressed-related depression.

Upper limb disorders:

Including Hand Arm Vibration Syndrome, Carpel Tunnel Syndrome: she advises in and fights at trial cases involving manual handling and allegedly defective workstations.

Noise Induced Hearing Loss:

Siobhan regularly fights NHIL trials and holds conferences with engineering and ENT experts. She has successfully argued breach of duty, diagnosis, low fence threshold and *de minimis* issues at trial as well as limitation.

Recent cases: a young claimant with short history of factory noise exposure and competing history of exposure to rave music. A case of significant asymmetric hearing loss.

Insurance Fraud

- Siobhan has extensive experience of fraudulent RTA claims. She regularly advises in and fights at trial claims which raise issues such as LVI, phantom passengers, staged accidents, and exaggerated claims. She has successfully obtained findings of fundamental dishonesty in relation to both liability and in quantum-only claims and also across employer's liability and industrial disease claims.
- Siobhan is experienced in the close analysis of documentary and expert evidence to identify patterns of inconsistency which may suggest dishonesty or exaggeration. She is experienced in the tactical use of surveillance evidence and intelligence reports (including social media profiling).
- She has secured the dismissal of claims under section 57 of the Criminal Justice and Courts Act 2015 and the enforcement of costs orders against fundamentally dishonest claimants. She has an in-depth understanding of the interplay between section 57, QOCS (disapplication), discontinuance and the wasted costs jurisdiction. She also advises in relation to contempt of court proceedings.

Recent cases: She recently secured a finding of fundamental dishonesty in a noise-induced hearing loss claim where the claimant was found to have dishonestly claimed he had no history of any other exposure to loud noise but ultimately was forced to accept in the witness box he had been a professional musician in a touring rock band in the late 1970s and 80s. Other cases include a claimant who alleged his wildlife photography business had been destroyed by a whiplash injury where a close examination of social media posts and of tax records showed otherwise; two claimants who were found to be bogus or 'ghost' passengers in a vehicle involved in a genuine collision: a claimant who had attempted to claim loss of income but was found to have exaggerated his injury and falsely claimed benefits for accident-loss when in fact his inability to work was due to a pre-existing condition; a driver who claimed to be in her stationary



vehicle when struck but was in the petrol station shop at the material time; a claimant whose failure to disclose numerous previous accidents and relevant conditions to his medical experts could not simply be considered a careless oversight and amounted to lying by omission.

Inquests & Public Inquiries

Siobhan appears regularly in the Coroner's Court and has been instructed on behalf of a variety of interested persons including families of the deceased and companies including insurers. She has particular experience in deaths arising from road traffic accidents and in health care institutions including a case involving a young woman who died in hospital following the production of a living will refusing life-saving treatment.

Civil/Insurance Fraud

Siobhan frequently acts in a range of fast track and multi-track claims including employer's liability, industrial disease, and clinical negligence claims where there are issues of fraud, dishonesty and exaggeration and / or malingering. She is very interested in chronic pain and somatoform disorders in which credibility issues are prominent.

Siobhan is experienced in the close analysis of documentary and expert evidence to identify patterns of inconsistency which may suggest dishonesty or exaggeration. She is experienced in the tactical use of surveillance evidence and intelligence reports (including social media profiling). She takes a robust approach to drafting defences and counter schedules and regularly advises in conference and undertakes settlement negotiations. She is a tough cross-examiner.

Siobhan has extensive experience of fraudulent RTA claims. She regularly advises in and fights at trial claims which raise issues such as LVI, phantom passengers, staged accidents and exaggerated claims. She has successfully obtained findings of fundamental dishonesty (both at trial and application hearings) and has secured the dismissal of claims under section 57 of the Criminal Justice and Courts Act 2015 and the enforcement of costs orders against fundamentally dishonest claimants.

She has an in-depth understanding of the interplay between section 57, QOCS (disapplication), discontinuance and the wasted costs jurisdiction. She also advises as to prospects in relation to contempt of court proceedings.

She recently secured a finding of fundamental dishonesty in a noise-induced hearing loss claim where the claimant was found to have dishonestly claimed he had no history of any other exposure to loud noise and absolutely did not play any musical instrument but ultimately was forced to accept in the witness box he had been a professional musician in a touring band in the late 1970s and 80s.

Qualifications

- Harmsworth Entrance Exhibitioner, Middle Temple
- Diplock Scholar, Middle Temple



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- CPE, City University
 - BA, Oxford University