



## Jacqueline McAleese

### Partner



**Areas of Law:** Healthcare, Commercial Litigation, Health and Safety Law

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### Background

Jacqueline McAleese attained a degree in Common and Civil Law with French (LLB – Joint Honours) from Queen's University, Belfast in 2000. In the following year, Jacqueline completed her Legal Practice Course at The College of Law (Chester).

In 2001, Jacqueline commenced a Training Contract with a leading Insurance Practice (Everatt & Company – now Plexus Law) and qualified as a Solicitor in 2003.

Post qualification, Jacqueline gained experience with Everatt and Company in conducting Defence Litigation on behalf of major insurance companies / loss adjusters and local authorities. Jacqueline joined Carson McDowell in 2008 where she has continued to specialise in Defence Litigation within both our Healthcare and Commercial Litigation Teams.

In addition, Jacqueline has considerable experience of representing various professional / commercial clients in Inquest and Health and Safety prosecution proceedings.

Jacqueline is ranked in Chambers and Partners and is respected for her expertise in this field. Peers report that they *"think highly of her,"* owing to the fact that *"she's very sensible"* when acting on complex cases. In the Chambers and Partners 2015 Guide, she was favoured for her *"analytical and methodical"* mind.

### Experience

Jacqueline's breadth of experience includes:

#### Clinical negligence claims

- Defending clinical negligence claims on behalf of General Practitioners and various clinicians in private practice on the instructions of their Medical Defence Organisations / Insurers. Jacqueline's work in this area has been undertaken in both pre-litigation and in High / County Court proceedings;



- Being involved in successful mediation proceedings in this field and regularly negotiating (directly with Senior and Junior Counsel) in respect of High Court matters;
- Defending a wide variety of claims such as delayed / misdiagnosis of various conditions (including cancer) / alleged sub-standard care pertaining to general / orthopaedic / obstetric / gynaecological surgery and consent issues;
- Considerable experience of defending medical malpractice claims arising from various beauty / cosmetic treatments; and
- Has represented opticians in High Court claims, which have included claims relating to an alleged delayed diagnosis of glaucoma / sub-standard examination following any eye injury, resulting in blindness and inappropriate performance of laser eye surgery.

#### **Professional negligence claims (non-clinical)**

- Defending other professionals in relation to High Court negligence claims to include Surveyors and Architects on the instructions of their professional indemnity insurers; and
- Being involved in successful mediation proceedings in respect of a high value claim, involving seventeen Defendants.

#### **Personal injury / industrial disease claims**

- Defending personal injury / industrial disease claims on behalf of various insurers, loss adjusters / self-insured companies; and
- Defending claims arising from general accidents (including catastrophic injury / fatal accidents) and various forms of industrial disease (asbestos related lung disease, deafness and vibration white finger).

#### **Judicial Review**

- Conducting Judicial Review proceedings associated with various healthcare matters.

#### **Public Inquiries**

- Assisting and advised various doctors in relation to the Clostridium Difficile Inquiry.

#### **Inquests**

- Representing both medical practitioners and corporate bodies at Inquests. Experience gained in this area has included representation of a large company at a high profile Inquest, following a workplace death, and engagement with local media/preparation of media statements.



### **Health and Safety**

- Defending companies in relation to Health and Safety investigations/criminal prosecutions following serious work related accidents and deaths, which involved assistance with site investigations, representation at formal interviews with Police/the Health and Safety Executive Northern Ireland ('HSENI'), and advice and representation in relation to HSENI prosecution proceedings.

### **Seminars**

- Providing seminars to insurers / loss adjusters in relation to local High / County Court practice and to legal / other professionals regarding Health and Safety Law; and
- Regularly providing bespoke seminars / training to clinicians (from various disciplines) and to other lawyers in relation to clinical negligence claims.