



Amy Philipson

Call: 2006

Commercial & Chancery

Probate and Inheritance Act claims

Amy Philipson has extensive experience and expertise advising and representing clients in Contentious Probate, Wills and Inheritance Act claims and Private Client litigation.

She is regularly instructed by beneficiaries, executors, trustees and other interested parties and she understands the sensitive and emotive nature of these matters and works with clients to gain the most efficient and effective resolution.

Amy has particular experience in the following areas:

- Advising on the validity of wills, their interpretation and execution
- Arguments on the construction of mutual wills and anticipatory clauses
- Application to remove executors and/or trustees
- Advising trustees as to the limits of their powers
- Claims under the Inheritance (Provision for Family and Dependents) Act 1975
- Undue influence and capacity
- Trusts and beneficial ownership of property including equitable severance of joint tenancy
- Declarations of marriage under the Family Law Act 1986
- Advising on the domicile of a party and its impact upon the relevant claim.
- Mediation

Property

Amy Philipson has been acting in both commercial and residential property disputes providing advisory services and representation in all courts and specialist tribunals including the Upper Tribunal (Lands Chamber) and the FTT Property Chamber for some time. Amy is also frequently instructed in non-contentious matters, providing focused and effective advice including interpretation of leases, rights of way and restrictive covenants.

Amy has particular experience in the following areas:

- Negotiation of leases



Education:

2006 University of
Nothumbria, LLB (Hons)
Exempting BVC

- Advising on the prospects of recovering dilapidations
- Breach of covenants
- Commercial forfeiture
- Advising on surrender agreements and disputes
- Service charge disputes
- Wrongful eviction
- Mediation

Public Access

Amy Phillipson may accept [Public Access](#) work, where she can be instructed directly by a member of the public rather than a solicitor.

Contact Amy's clerks

[Francine Kirk](#) on [0113 202 8605](#)

[Talia Webster](#) on [0113 213 5207](#)

[Patrick Urbina](#) on [0113 213 5250](#)

Civil Fraud

Amy Phillipson regularly acts for leading insurers in both an advisory and advocacy capacity, defending fraudulent personal injury and other civil claims. Her experience includes:

- Low-velocity-impact (LVI) road-traffic collisions resulting in no injuries or exaggerated injuries
- Bogus passenger claims in road-traffic claims
- 'Slam-on' allegations
- Credit-hire fraud
- Staged & fabricated accidents in road-traffic claims
- Exaggeration of injury and consequential loss in employers' liability claims
- Staged or fabricated accidents at work
- Tort of deceit proceedings
- Costs.

Meticulous approach

Amy's approach throughout the litigation process is meticulous. Once instructed, through written advice and in conference, Amy leaves no stone unturned and then employs evidence with great success. Examples include analysis of financial records, cross-referencing of medical records, surveillance evidence, coincidence of geography, and association, interpretation and understanding of police-held records.

Tactical skills

Amy's dedication and ability to swiftly identify the issues in a case mean that she is able to offer tactical advice at an early stage and prepare comprehensive defences and complex counter-schedules at very short notice. Amy is noted for always providing a short view on the prospects of the case at the time of drafting any defence to ensure that the tactical advice can follow on throughout the litigation. However, in many cases, claims are withdrawn by

claimants after the defence has been served.

Defeating fraud claims

In addition to advisory and drafting work, Amy regularly appears in court at both interlocutory and final hearing stage, and her skilful cross-examination frequently results in claims being defeated. In road traffic cases in particular, Amy is highly regarded by instructing solicitors in the area of credit hire, regularly obtaining excellent results for clients by defeating claims for hire on enforceability grounds and by forensic interrogation of their means and circumstances. In many cases, her cross-examination on hire has led to the entire claim being dismissed due to the undermining of credibility.

Employers' Liability

Amy repeatedly receives instructions in employers' liability claims where there are suspicions of fraud. This is usually in the form of fabricated accidents where it is known to the claimant that there has been a breach of statutory duty or cases involving exaggeration of injury and consequential damages where the accident was trivial. Amy has an excellent understanding of the unique issues of quantum and liability which arise in this area of fraud defence and adopts the same meticulous approach to undermine claimants and defeat claims.

Amy is happy to be consulted by email, telephone, video conference and on client premises and she also accepts direct access instructions.

Amy is available to present seminars on all topics in this field including:

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- Credit hire update
 - Fraud & costs – QOCS and manifestly dishonest
 - Employers' Liability Fraud: The changed landscape – practice post-1 October 2014
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Personal Injury

Amy Phillipson has extensive advocacy and advisory experience in fast-track and multi-track cases, (especially in areas when defending claims in which fraud is pleaded), including:

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- Employers' liability
 - Road traffic litigation
 - Occupier's liability
 - Industrial disease
 - Highways claims
 - Clinical negligence
 - CICA appeals
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Loss & quantum

Amy regularly prepares complex schedules and counter-schedules of loss, addressing all issues of quantum including Ogden future loss calculations. Previous instructions have involved detailed quantification of claims worth up to several million pounds. Amy has also developed a strong reputation for providing early and reliable damages projections for all types of injury claims, conscious of their importance under the QOCS/Part 36 costs regime.

Road traffic claims

In road traffic claims, Amy is very experienced in arguments on credit hire, credit repair and credit storage, and has successfully defeated numerous claims on enforceability grounds and when cross-examining claimants.

Employers' liability

In employers' liability claims, Amy has significant experience in dealing with the applicability of the 'six-pack' regulations and is well-versed in all relevant authorities. She is able to rely on this when advising on the best tactical approach in assessing liability and drafting pleadings in accidents post-1 October 2013, following the amendment of section 47 of the Health and Safety at Work Act 1974.

Clinical negligence

Amy regularly acts for both claimants and private defendant clients in clinical negligence claims. Her cases have included claims arising from dental, cosmetic and orthopaedic surgery, and alleged failure in proper diagnoses resulting in reduced life expectancy.

Amy is happy to be consulted by email, telephone, video conference and on client premises. Amy Philipson is available to present seminars on all topics including;

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- Employers' Liability: The changed landscape – practice post-1 October 2014
 - Quantifying future loss claims
 - Litigation and costs update – including the impact of QOCS, FRC, Part 36 offers, life post-Mitchell and costs budgeting.
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Notable cases

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- In *B v E* (2013), Amy was Junior to David Wilby QC, representing of a claimant suffering tetraplegia after a road-traffic accident involving catastrophic injuries to the spinal cord. A multi-million-pound lump sum settlement award was reached, with a periodical payment order providing for the claimant's comprehensive care needs for the remainder of his life.
 - "Kenyan Emergency Group Litigation" – ongoing, as Junior to Andrew Lewis QC, representing approximately 3,000 Kenyans in claims against HM Government and the FCO for atrocities committed against them by employees and agents of the British Colonial Administration in Kenya during the 1952 to 1961 State of Emergency, known as the 'Mau Mau Uprising'.
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