



PARK  
SQUARE

BARRISTERS

Anna Wilkinson

Call: 2007

## Civil Fraud

Anna Wilkinson has an established practice in civil insurance fraud and regularly undertakes work on behalf of defendant insurers in relation to suspicious or fraudulent insurance claims, including cases involving road traffic accidents, slips and trips and accidents at work.

Anna has extensive experience of cases involving staged accidents, low-velocity impact (LVI), bogus passengers and exaggerated personal injury claims. She is also familiar with the legal issues which arise in credit hire claims.

Anna has experience in acting for travel companies in cases involving flight delays and alleged breaches under the Package Travel, Package Holidays and Package Tours Regulations 1992 (the "Regulations") and ABTA code of conduct. Anna is familiar with HACCP and the issues that arise in defending holiday sickness claims following the judgment of the Court of Appeal in *Wood v TUI Travel*, and is acutely aware of the need for travel companies to consider each claim presented to it with considerable caution in light of the recent surge in fraudulent holiday sickness claims.

As Anna's practice also includes regulatory work she has experience of prosecutions for various types of fraud in addition to those brought for breaches of fire, environmental, and health and safety regulations. This experience gives Anna an ability to advise insurance clients in respect of their prospects in criminal cases arising from fraudulent claims for compensation.

She regularly deals with interlocutory and preliminary hearings, including those to add insurers as a defendants, set aside judgment, deal with expert evidence issues, case-management conferences and associated costs arguments.

Anna ensures she is aware of recent legal developments in the post-Mitchell climate, including the judgments in *Durrant v Chief Constable of Avon and Somerset Constabulary*; *Adlington & Ors v ELS International Lawyers*; and *Porbanderwalla v Daybridge*. She is therefore equipped to deal with arguments in respect of issues arising from the late service of documents or budgets.

## Papers practice

She is happy to provide pre-action advice on the strength of individual cases, in conference and in writing, in addition to providing pleadings on behalf of insurer clients. All paperwork is carried out promptly.



### Education:

2004 - University of Sheffield  
LLB Law (2:1)

2007 - University of  
Northumbria, BVC ('very  
competent')

### Career:

2007 - Paralegal, Perth,  
Australia

2008 - Fee-earner, Harrison  
Bunday Solicitors, Leeds  
Crown Court & Prison Law  
Departments

2009 - Pupil at Sovereign  
Chambers, Leeds

2010 - Tenant at Sovereign  
Chambers, Leeds

2010 - Trainer of expert  
witnesses for West Yorkshire  
Police

2011 - CPS Level 2  
Prosecutor

2015 - Sovereign Chambers  
becomes Park Square  
Barristers

### Appointments:

2011 - List C of specialist  
regulatory advocates in  
health & safety and  
environmental law

2019 - List B of the Panel of  
Specialist Regulatory  
Advocates

Park Square Barristers  
6 Park Square East  
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[parksquarebarristers.co.uk](http://parksquarebarristers.co.uk)

## Credit-hire fraud

Anna is regularly instructed in relation to claims involving credit hire, especially on behalf of the defence, in cases of all values from the small claims track to the multi-track. She is au fait with the plethora of arguments and cases that have been determined by the Court of Appeal and House of Lords in respect of credit hire agreements, including those made in respect of the Cancellation of Contracts Made in a Consumer's Home or Place of Work Etc Regulations 2008, and the cases of *W v Veolia*, *Pattni v First Leicester Buses Limited* and *Bent v Highways and Utilities*.

Anna has cross-examined claimants about their claim for collection and delivery of a vehicle and making subsequent submissions that the credit hire contract is unenforceable in its entirety. She has also dealt with cases in which the vehicle is used for both business and social, domestic and pleasure purposes and is familiar with the case law and arguments which can be advanced in such cases. She regularly uses the arguments relating to basic hire rates.

## Public Access

Anna may accept Public Access work, where she can be instructed directly by a member of the public rather than a solicitor.

## Contact Anna's clerks

Business Development Clerk – Andy Reeveson 0113 213 5252

Talia Webster on 0113 202 8609

Joshua Duree on 0113 213 5246

Sonia Kainth on 0113 213 5207

## Personal Injury

Anna Wilkinson has a mixed practice of claimant and defendant personal injury (PI) work, including claims funded by a CFA. This includes road traffic accidents, employers' liability cases, and slip-and-trip matters. She has experience of noise-induced hearing loss and clinical negligence, and is pleased to settle or advise on pleadings.

In addition to personal injury work, Anna has experience of debt-recovery and enforcement proceedings, including applications for charging orders, orders for sale and possession hearings.

She also has a busy papers practice, advising on liability, tactics and procedural matters. She is happy to be consulted by email, telephone, video conference and on client premises.

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## Regulatory and Public and Private Prosecutions

Ranked: for Regulatory, Health and Safety and Licensing – The Legal500 (2020)

Anna Wilkinson is a B-List Regulatory Advocate and has an established practice in a variety of regulatory and disciplinary work.

*' An experienced health and safety prosecutor. '* Legal 500 – (2020)

*" Her advice is always crystal clear"* – The Legal 500 2019

*"She is very good at putting witnesses at ease".* – The Legal 500 (2017)

Anna has undertaken numerous cases on behalf of both CQC and care home owners. Anna has been instrumental in defending Notices of Proposal and Notices of Decisions at tribunal hearings. Anna is familiar with appeals regarding notices of cancellation of registration and is experienced in dealing with the issues which arise in such cases, including the cross examination of expert witnesses in areas such as occupational therapy and medicine management. Anna is also familiar with the principals of the CQC policy "registering the right support" and has successfully dealt with cases involving increases of service users. Anna has represented parties at appeals to the Upper Tier Tribunal.

Anna is always happy to advise providers and Managers on Notices of Proposal, Decision, Fit & Proper Persons, Mental Capacity Act and Deprivation of Liberty Safeguards. She has a thorough understanding and knowledge of the Health and Social Care Act and Regulations and their application.

Having started her career at the bar also doing "general criminal" cases, including being led by Craig Hassall in a lengthy and complex immigration fraud by a Bradford Councillor, Anna is well placed to conduct regulatory or private prosecutions which are heard in the criminal courts.

Anna was instructed to prosecute the first private prosecution brought by Allianz insurance. The Defendant was sentenced to 12 months for bringing a civil claim alleging to have been in a vehicle and suffering from whiplash when he had not been within the car at the time. Anna conducted all of the hearings in the matter, in addition to drafting the indictment, relevant applications for third party antecedents, and making a successful application for Allianz to

recover all of their costs of the prosecution from central funds.

Anna regularly receives instructions in proceedings brought by the Health & Safety Executive and the Environment Agency in both the Magistrates and Criminal Courts in addition to defending individuals and companies charged with such offences.

Anna also acts in cases prosecuted by local authorities, and fire and rescue authorities, and defends individuals charged with breaches of fire safety regulations, and landlords accused of failing to meet their legal responsibilities.

Anna has been instructed by the Department for Business, Innovation and Skills in relation to frauds by company directors and offences concerning individual voluntary arrangements (IVAs). She has also conducted cases in both the First Tier Tax tribunal and the First Tier Tribunal (general regulatory chamber).

Anna has experience of prosecuting benefit-fraud offences, appearing on behalf of the Child Support Agency and has defended in school truancy, food safety & hygiene, and licensing matters.

Anna has also been instructed to appear at the First Tier (Mental Health) Tribunal on behalf of patients seeking discharge

Anna has undertaken training provided by England Netball in order that she can assist with and adjudicate upon disciplinary complaints involving registered players or leagues.

#### Notable Cases

*Allianz v Stephenson*, Croydon Crown Court – Allianz’s first private prosecution in which they prosecuted an individual who brought a fraudulent civil claim for damages by falsely alleging that he was within his vehicle and suffered injury at the time of a collision. Allianz, represented by Keoghs, instructed Anna Wilkinson to conduct the prosecution. Mr Stephenson was sentenced to 12 months custody by HHJ Robinson with Anna making a successful application for Allianz’s costs to be paid from central funds.

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- West Yorkshire Fire & Rescue Authority -v- P, B & H. Anna defended the electrician who had fitted the fire alarm and was charged under the Regulatory Reform Fire Safety Order following a significant fire at a house in multiple occupation.
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- Harrogate Borough Council v Victor Lusher – Anna defended the owner of a bouncy castle which blew away during a fair and while in use by several children.
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- HSE v Marc Murrie – Prosecution of a gas fitter who had breached regulations and was not registered while carrying out works.
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- Bleak House v CQC – Tribunal hearing in which an application was made to increase the number of residents at a home for people with learning disabilities, largely involving the policy document “registering the right support”.
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- Action for Care v CQC – Tribunal involving an application to vary the registration of a home for people with autism and complex needs. Anna was also instructed in the permission to appeal to the Upper Tier Tribunal hearing.
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- R v Hussain & Ors – Bradford Crown Court – Anna was led by Craig Hassall in a prosecution

of 6 defendants, one of whom was a Bradford Councillor, convicted of breaching immigration laws. This was an organised prolonged immigration fraud involving over 100 fraudulent immigrating applications.

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## Contact Anna's clerk

Madeline Gray on 0113 202 8603

Patrick Urbina on 0113 213 5250