

## Janine Wolstenholme

Call: 2002

### Regulatory & Public

#### Inquests

Janine Wolstenholme is an experienced advocate. She undertakes advisory, drafting and advocacy work, across all aspects of general civil litigation. Clients enjoy a high level of service and particularly appreciate her forensic, holistic and tactical approach.

Janine has significant experience in the Coroner's Court (coroner and jury) representing interested parties in inquests involving deaths in custody, neglect, medical malpractice, mental health, substance abuse, including NPS, and road traffic accidents. She has a particular interest in cases involving children and protected parties.

A significant proportion of her practice sees her acting for the State, public bodies and corporations such that she is very much aware of the wider statutory considerations that may arise in any given case.

The majority of cases in which she is instructed are Article 2 and jury inquests. She is very familiar with Regulation 28 issues. My experience ranges from short, natural causes deaths to cases lasting several weeks, with a number of interested parties. The cases in which Janine is instructed often attract media interest.

Experience includes:

- A complicated three-week inquest in respect of a death in custody involving, inter alia, mental and physical health concerns, language barriers, and bullying.
- Acting for a nurse, as an individual, in respect of a death in a nursing home, which was adjourned part way through for investigation by the police.
- The successful defence of a claim for judicial review, brought against a coroner, for his refusal to conduct an Article 2 inquest and sit with a jury, in respect of the death of a very young child who passed away having developed septicaemia.
- An inquest into the death of a woman killed by her partner who had previously served life for the murder of his ex partner.
- An inquest into the death of a man who passed away whilst in a specialist residential unit undergoing a voluntary detoxification programme.

Janine also provides training, and has delivered sessions to clinical staff at NHS hospital trusts.

#### Public Law

Janine has significant experience in this area having acted for a range of government departments, local authorities, public bodies and insurers for many years. Prior to joining chambers in 2007, she was an in-house advocate in local government for five years where she encountered a number of niche areas, including education law. In addition to appearing in the Magistrates' Courts in relation to non-school attendance, she provided advice and training to schools and councillors on a range of legal and policy-related issues arising in an educational



#### Education:

**2001** LLB (Hons) (2:1)

**2002** BVC (VC)

**2005** QLTT (A)

**2006** MA (Merit)

#### Career:

**2002** In-house lawyer

**2007** Pupillage and Tenancy,  
Manchester

**2010** Joined Sovereign  
Chambers, Leeds

**2015** Sovereign Chambers  
becomes Park Square Barristers

setting, including compliance training with the then Disability Discrimination Act.

In her current practice Janine accepts instructions in relation to a range of Public and Regulatory Law matters, at all stages of a case from initial advice and drafting through to the advocacy at interim and final hearings. In addition to appearing in the County and High Courts, in cases of clinical negligence, allegations in relation to public-sector duties, powers (including judicial review), allegations of misconduct and misfeasance in public office for example, Janine appears in cases before a number of specialist tribunals, including the Health, Education and Social Care Chamber, SENDIST and the Coroner's Court.

## Education Law

Recent instructions include representing Ofsted in a multi-day appeal against a decision to remove a child-minding licence following serious misconduct and regulatory breaches, as well as acting for local authorities, defending challenges concerning special educational needs including allegations of a failure to statement or provide an EHC Plan, failure to identify, or properly identify, a child's needs, and a failure to provide adequate provision. Such work necessarily involves a number of medical and mental health professionals and their decisions about the extent of a child's needs.

She is also instructed to provide policy advice. Recent instructions include a bespoke provision for children with significant needs, and families caring for those children, where the local authority had been found, by the relevant regulator, to be in breach of the statutory rules and procedures. She has also advised on the provision of facilities at school for transgender pupils.

Janine sits as Chair on school admissions appeals. She also has experience of acting, and acts for, parents wishing to challenge the failure to provide a school place in other local authority areas. Recent instructions include a successful appeal on the grounds of maladministration in the application of the relevant academy's policy.

Janine has a nationwide practice and is happy to travel to accommodate her clients' needs, as well as deliver training and seminars to clients at their premises.

## Public Access

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

## Contact Janine's clerks

[Madeleine Gray](#) on [0113 202 8603](#)

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

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## Personal Injury

Janine Wolstenholme is an experienced advocate. She undertakes advisory, drafting and advocacy work, across all aspects of casualty litigation. Clients enjoy a high level of service and particularly appreciate her forensic, holistic and tactical approach.

Janine Wolstenholme has many years' experience in casualty work acting for Claimants and Defendants. Her practice includes injury, both bodily and psychiatric, and consequential loss arising out of clinical negligence, personal injury, employers' liability, disease, occupiers' liability, highways, product liability, accidents abroad, and motor claims (including MIB). She has a genuine and long-standing interest in claims involving secondary victims and nervous shock having completed her undergraduate dissertation in this field.

She has experience of low value claims through to large loss actions following surgery (emergency, orthopaedic/routine and cosmetic), inadequate post-surgery care and treatment, delayed and failed diagnosis, neglect, as well as claims involving compulsory detention and mental health. Janine has a particular interest in incidents resulting in loss of life, particularly those concerning children, protected and vulnerable parties.

She undertakes work at all stages from initial advice through to JSMs and trial, including inquests (coroner and jury), and fully contested multi-track trials and appeals lasting several days in the High Court.

A significant proportion of Janine's current practice includes acting for NHSLAs, insurers, local government and, since her appointment as Junior Counsel to the Crown, Regional Civil Panel, in 2010, she is regularly instructed by the Crown and various State departments, both ministerial and non-ministerial.

Janine accordingly has an acute understanding of the wider, potentially lasting, implications that may arise in any given case, whether it relates to policy or because of political and media interest and scrutiny and approaches every case with such matters in mind.

Janine has a significant coronial practice and is accordingly able to offer continuity of service from a very early stage in proceedings and across jurisdictions.

Experience includes, for example:

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- Instructed to defend a claim for damages arising out of the baby ashes scandal.
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- Defending a claim for damages (pleaded up to £5m) for psychiatric injury and associated losses (including loss of business) following alleged misfeasance in public office and malpractice.
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- Defending a claim for judicial review, brought against a coroner, for his refusal to conduct an Article 2 inquest and sit with a jury, in respect of the death of a very young child who passed away having developed septicaemia.
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[Talia Webster](#) on [0113 213 5207](#)

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

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## Commercial & Chancery

Janine Wolstenholme is an experienced advocate. She undertakes advisory, drafting and advocacy work, across all aspects of general commercial and civil litigation. Clients enjoy a high level of service and particularly appreciate her forensic, holistic and tactical approach.

Janine is regularly instructed by insurers in relation to a broad spectrum of indemnity disputes involving different types of insurance, including motor, casualty, business and property. She regularly drafts pleadings, provides advice and appears in court.

Many of her cases involve indemnity concerns, policy avoidance, statutory, contractual and common law recovery, and declaratory relief, including under the Road Traffic Act. She is also experienced in the sale and supply of goods and services, product liability, latent defects, consumer protection, premises liability, property damage, and nuisance.

Janine has significant experience in fraudulent and suspicious claims, including all aspects of exaggeration, deceit, injuries at work, slippers and trippers, staged/contrived road accidents, including stooge and ghost vehicles, 'slam-ons', bogus passengers, credit hire, and low-velocity impact (LVI).

"I have had the pleasure of attending a 4-day trial where Janine conducted the advocacy in an action brought by the policyholder

against their insurer, which we defended on fraudulent grounds.

Janine's skills in cross-examining the witnesses, and luring them into a false sense of security, was absolutely fascinating; needless to say, we successfully defended, with a finding of fraud. Janine is down-to-earth and her client-care skills are second to none.

She is clearly passionate about her work and enjoys what she does, and this is reflected in the level of service received. I would not hesitate to recommend her." – Commercial Litigation Partner, Top-100 law firm.

She instructed across the whole spectrum of court hearings, in both the County and High Courts, dealing with a variety of issues from short applications to contested multi-track trials and appeals lasting several days.

Janine is well versed in preliminary and interlocutory matters including, for example, CMCs, CCMCs, allocation and directions; applications for expert evidence; adding/substituting parties; resiling from admissions; setting aside judgments; abuse of process, strike-out and summary judgment applications; committal for contempt together with associated costs arguments.

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