

## Jane Mishcon

Call: 1979



### Overview

Jane's principal area of practice is medical law, specialising in clinical negligence. She acts for both claimants and defendants. She is instructed in her defendant work by panel firms of NHSR, medical defence societies and insurers of private hospitals.

Given her experience, she is mainly instructed in complex or high value claims, but also feels that she can be of considerable use in dealing with a wide range of cases whatever their value, especially helping to negotiate settlements in extremely sensitive claims.

She is a trained mediator and has belief and confidence in the use of negotiation in all disputes arising out of clinical negligence claims. However, if a case does proceed to trial, she is described in the 2022 edition of Legal 500 as "a great trial advocate".

She has also chaired 10 independent inquiries, including an inquiry into alleged misdiagnoses in the histopathology department at University Hospitals Bristol NHS Foundation Trust.

Jane is ranked as a leading junior in both The Legal 500 and Chambers UK:

She has been described as:

*"Fantastic. Completely on top of the facts and the law. She has intellect and charm and knows her medicine very well."* Chambers UK.

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### Medical law

Clinical negligence is Jane's main area of practice. Most of her cases are high value claims but she deals with cases covering a very wide spectrum of clinical specialties. She is instructed on behalf of both claimants and defendants.

She has chaired nine independent inquiries into homicides by psychiatric patients. She also chaired an inquiry into alleged misdiagnosis in the histopathology department at University Hospitals Bristol NHS Foundation Trust.

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## **Notable cases**

Recent settlements include two complex birth injury cases where Jane represented the claimant in both. In one she negotiated a settlement of a lump sum equivalent of £15 million and in the other the settlement reached amounted to £9.73 million on a capitalised basis at 85% of liability (which would have been £11.45 million on a 100% basis).

Jane has also settled many cases very favourably for defendant Trusts, private hospital groups and GPs.

She was junior counsel for the defendant Trust in the Court of Appeal case of *Farraj v King's Healthcare NHS Trust and Cytogenic DNA Services Ltd*, where the Trust successfully defended this wrongful birth claim, which is an important authority on non-delegable duty of care.

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## **What others say**

"Very thorough, tactically strong, persuasive advocate: in essence, a very tough but respected opponent." *Legal 500, 2024*

"Jane is the most courteous of counsel but able to pack a punch when required and fight for her clients with the utmost tenacity." *Chambers UK, 2024*

"She has a wealth of experience as a senior junior. She takes a really well balanced approach in terms of forensic analysis and she's very user friendly and amenable. She's definitely a go-to junior." *Chambers UK, 2024*

"She is thorough, balanced, realistic and clear." *Chambers UK, 2024*

"She is determined in pursuit of her client's interests." *Chambers UK, 2023*

"Jane has an excellent demeanour in conference with experts and clients." *Chambers UK, 2023*

"Jane is very experienced, incredibly thorough and always well-prepared. She is incredibly knowledgeable and able to cut through the issues to provide advice which is always practical, sensible and succinct." *Legal 500, 2023*

"Impressive eye for detail on both liability and quantum. Able to quickly assimilate large volumes of evidence and settle concise yet robust pleadings." *Legal 500, 2023*

"Jane is hugely experienced, very understanding of her clients' needs and offers decisive and clear advice." "She's very impressive in court and is not someone who misses anything." "Skilled, precise and knowledgeable. She's able to distil key issues succinctly and with a clear strategy in mind." *Chambers UK, 2022*

"Jane has a wealth of experience, making her a great trial advocate." *Legal 500, 2022*

"A much respected practitioner with a firm approach to negotiations." *Legal 500, 2021*

"She's always very well prepared and her advocacy skills are exceptional." *Chambers UK, 2021*

"She's very good at dealing with experts and has very strong attention to detail." *Chambers UK, 2020*

"Entirely on top of all the material and able to deal with it thoroughly" *Legal 500, 2020*

"Very bright and very meticulous" "A trusted pair of hands" *Chambers UK, 2019*

"Easy to work with" *Legal 500, 2019*

"Fantastic. Completely on top of the facts and the law. She has intellect and charm, and knows her medicine very well" *Chambers UK, 2018*

"Excellent in negotiations" *Legal 500, 2017*

"She's incredibly sharp and has a fantastic grasp of medicine." *Chambers UK, 2017*

"Supremely experienced" *Legal 500, 2016*

"She can deal with the most complex and substantial claims very competently."  
"Jane is very good with clients and a formidable advocate." *Chambers UK, 2016*

"She navigates problems with aplomb." *Legal 500, 2015*

"Excellent, especially on difficult and sensitive cases, as she has a great approach to dealing with people." *Chambers UK, 2015*

"An extremely experienced junior, who is 'quite capable of holding her own against silks'." *Legal 500, 2014*

"Her vast experience allows her to oppose silks on highly complex claims across many areas of medical negligence. Jane is 'very thorough, accessible and approachable. She demonstrates an attention to detail which is excellent'." *Chambers UK, 2014*

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## **Further information**

**Education:** BA (Hons) English Language & Literature. MA. Lady Margaret Hall, Oxford

Accredited Mediator (ADR Chambers, 2003)

ICO Data protection registration number: **Z6955970**.

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