

Georgina Cursham



Year called: 2007

Telephone: +44 (0) 115 947 2581

"She's friendly, approachable, always well prepared and an excellent advocate."

Chambers & Partners

Georgina is a top-ranked junior in the Legal 500 directory for personal injury and inquests and enquiries.

She has a wide-ranging personal injury and clinical negligence practice, with a particular focus on catastrophic injury and fatal accident claims. She is esteemed for her specialist expertise in personal injury claims involving the Animals Act, as well as equine contractual disputes and veterinary or farriers' negligence claims.

She knows her way around the Coroner's Courts, with extensive experience in Article 2 jury inquests arising from deaths in custody, as well as inquests into deaths arising from suspected failures in medical diagnosis and treatment and/or inadequate care in a care home setting.

Georgina combines a strong academic background and thorough attention to detail with an approachable, down-to-earth attitude.

Whilst at Nottingham Law School, she achieved the Nottingham Law School Prize for the highest overall result on the Graduate Diploma in Law, followed by the Taylor Prize for best overall performance on the Bar Vocational Course.

Georgina was appointed to the Attorney General's Panel of Counsel in 2012.

Interests away from the Bar include running, horse riding, skiing and travel.

Animals & Equine

Georgina is a specialist in equine litigation and other disputes involving animals. She has in-depth knowledge of the complex provisions of the Animals Act 1971 and associated case law.

She has advised and represented Claimants and Defendants in claims arising from horse riding accidents on private premises and in equestrian schools, fatal animal attacks, road traffic incidents involving horses and livestock, dog bites and employer's liability claims in animal-related incidents.

She has particular expertise in cases involving trespass and nuisance, including damage to, and caused by, livestock.

She also has wide experience of veterinary negligence and farriers' work and disputes arising from the sale of horses and ponies.

Catastrophic Injury

Georgina's experience in catastrophic injury claims includes: severe head injuries, resulting in permanent vegetative state, spinal injuries, resulting in significant disability and fatal accidents.

She regularly undertakes advocacy, both alone and being led in the High Court and provides a full drafting service including liability, quantum, schedules of loss and counter-schedules. She is well versed in the use of actuarial / Ogden tables.

Personal Injury

Georgina represents both Claimants and Defendants in personal injury claims on the fast track, multi-track and at appellate level. Her caseload includes fatal accidents and high value claims.

She has experience of a wide variety of claims, including employers' liability, road traffic accidents, occupiers' liability, highways and other slip and trip accidents, product liability, and claims involving alleged breaches of human rights.

She regularly acts in cases concerning the Defective Premises Act 1972, the Landlord and Tenant Act 1985 and breaches of the building regulations.

She is experienced in claims involving nervous shock and other psychiatric injuries, defences of illegality and *volenti non fit injuria*, children or protected parties, insolvent parties and the Official Receiver, CICA and CRU appeals.

Clinical Negligence

Georgina receives instructions on behalf of both Claimants and Defendants in claims involving alleged negligent care and treatment. She represents families, as well as medical and caring professionals, at inquests, in which medical care is scrutinised.

With a strong analytical approach, she is adept at dealing with complex issues of breach and causation, and is confident dealing with conflicting expert evidence, both in conference and at trial.

Recent work has included claims arising from alleged negligent dental treatment, unnecessary and / or

negligently executed plastic surgery, inadequate care in a nursing home, delayed diagnosis and negligent treatment of kidney stones and negligent orthopaedic/paediatric treatment.

Commercial Dispute Resolution

Georgina has broad experience across a range of commercial matters, and is able to draw on her industry experience gained prior to her call to the Bar. She represents clients in court and in mediation, arbitration or joint settlement meetings.

She acts in cases concerning the Sale of Goods Act 1979 and the Supply of Goods and Services Act 1982. She is experienced in disputes in respect of breach of contract, wrongful interference with goods, construction and building disputes, misrepresentation, undue influence and restitution claims.

She also deals with disputes with energy providers, personal and company insolvency, insurance, bailment and injunctions.

Costs & Litigation Funding

Georgina has experience across a range of costs work, including costs budgeting, CCMC's, detailed assessments and QOCS.

Disease

Georgina has experience across a range of disease claims, including noise-induced hearing loss (NIHL), HAVS and other work-related upper limb disorders and mesothelioma and other asbestos-related disease.

She is routinely instructed to attend trials on all substantive issues or limitation alone, as well as CCMC's.

She is adept at analysing and challenging expert evidence, both in conference and at trial.

Inquests

Georgina appears at inquests on behalf of a range of interested parties, including the family of the deceased, insurers, and, in her capacity as Treasury Counsel, the Ministry of Justice.

She has a robust approach to the admissibility and relevance of evidence, and is sensitive to the quasi-criminal nature of some inquest hearings.

Her experience includes inquests involving deaths in custody, Article 2 ECHR, deaths of vulnerable adults in care, mesothelioma and other industrial diseases, accidents at work, road traffic accidents and highways matters, including dangerous road surface defects.

She has acted in both jury and Coroner inquests and Coroner alone.

Insurance

Georgina's experience spans a range of insurance issues, including pet insurance third party liability, for example whether the policy covered a dog bite to a member of the owner's family and pet insurance for veterinary treatment, such as non-disclosure of pet's previous condition.

She deals with property disputes, including damage to insured property caused by negligent works, obstruction of drainage and / or nuisance.

She has experience of motor insurance disputes, including non-disclosure, misrepresentation, breach of contract and Motor Insurers' Bureau claims.

Professional Negligence

Georgina's professional negligence experience includes claims arising out of work done by solicitors, will writers, plumbing / heating engineers, demolition contractors and medical professionals.

Property & Real Estate

Georgina has broad experienced across a wide range of property and chancery cases.

She represents clients in court and in mediation, arbitration or joint settlement meetings.

She deals with all aspects of landlord and tenant claims, including business and residential possession proceedings, dilapidations claims, claims for compensation and deposits.

Georgina has experience of real property disputes, including those involving easements, boundary disputes, trusts of land, the Right to Buy scheme, tree root damage and subsidence.

She regularly deals with claims concerning constructive and / or resulting trusts, joint ownership, undue influence, proprietary estoppel and nuisance.

Public Sector & Not for Profit

As counsel on the Attorney General's Regional Panel, Georgina has had broad exposure to public law work, which has enabled her to build upon her advocacy experience in housing matters, and previous employment in the public sector prior to coming to the Bar.

Her public sector experience includes advisory, drafting and advocacy work claims involving judicial review, human rights claims, unlawful imprisonment claims, housing, misfeasance in public office, harassment, licensing and building regulations.

Sports

Georgina has a particular interest, and wide-ranging legal experience, in claims arising out of equestrian pursuits including eventing, show-jumping, and hunting.

Further, as a keen participant and observer of many sporting activities, she has a good understanding of the issues which arise in legal cases arising from the same.

She also has experience of claims involving charities and unincorporated associations, which often feature in sports claims.

Wills, Probate & Inheritance

Georgina's probate and trusts experience encompasses advisory, drafting and advocacy work in contentious probate proceedings and Inheritance (Provision for Family and Dependents) Act 1975 claims.

She is often instructed in will disputes, including rectification, proceedings for the administration of a will, removal of personal representatives and claims against executors. She has experience of professional negligence arising from the drafting and / or administration of a will.

She is experienced in claims involving breach of fiduciary duty, joint bank accounts, enduring powers of attorney and claims for an account and / or inquiry.

Appointments

- Attorney General's Panel Counsel

Memberships

- Personal Injuries Bar Association (PIBA)
- Association of Personal Injury Lawyers (APIL)
- Action against Medical Accidents (AvMA)

Education

- LLB (Graduate) First Class Honours, Nottingham Law School
 - Nottingham Law School Prize for the highest overall result on the Graduate Diploma in Law
 - Taylor Prize for best overall performance on the Bar Vocational Course
- MA (Oxon) Modern Languages, Pembroke College, Oxford

Notable Cases

- ***T v M (High Court of Justice QBD 2020)***: Sole counsel representing the Defendant in a claim pleaded at £11.8 million, arising out of the death of a young man who developed mesothelioma following exposure to asbestos in the course of his work at the Defendant's premises and died before reaching the age of 40,

- leaving 4 young children and a successful business.
- **N v T & E (High Court of Justice QBC 2020)**: representing the Claimant in his claim arising out of a road traffic accident, in which he suffered multiple life-threatening injuries, including serious brain and chest injuries leaving him with permanent mental and respiratory disabilities.
- **A & N v M (Leeds County Court 2020)**: representing the Defendant employer in a vicarious liability claim for sexual assaults perpetrated by one of the Claimants' colleagues. Claims for alleged career-ending psychiatric injuries were pleaded in excess of £1 million.
- **C v M (Bournemouth & Poole County Court 2020)**: representing one of two Defendants in an employer's/occupier's/public liability claim pleaded at over £450,000. After allegations of exaggeration were made against the Claimant, the claim settled at less than 7% of the pleaded value of the claim.
- **Re AW (Lincoln Coroner's Court 2019)**: representing the MOJ at a 5-day Article 2 inquest into the death of a prisoner who died from an overdose of a synthetic cannabinoid drug.
- **W v R (High Court QBD 2019)**: representing the Claimant, who was trampled by a herd of cattle and suffered severe, life-threatening injuries, including multiple bilateral rib and spinal fractures. Successful 6-figure settlement at JSM.
- **Hancox v Lindsay-Brown (Newcastle County Court 2019)**: Represented the successful Claimant in a 3-day multi-track trial against the seller of a horse purchased for the purpose of competing in prestigious events and shows but was found to be not fit for purpose.
- **Bannister v Stafford College (Stoke-on-Trent County Court 2019)**: representing the successful Defendant in a 2-day multi-track trial in an occupier's liability claim brought by an elderly lady, who had sustained serious injuries in a fall on the Defendant's premises.
- **Re RB (Nottingham Coroner's Court 2019)**: representing the bereaved family of an elderly man who died suddenly of sepsis, following a minor graze to the leg which became infected.
- **KK v SE (2019)**: representing the successful Claimants in their £700,000+ dependency claim, arising from a road traffic accident leading to the death of a 27-year-old husband/father.
- **P & Others v MOJ (Central London County Court 2019)**: counsel for the Defendant in a multi-claimant action arising from assaults by 2 prisoners on 7 members of prison healthcare and disciplinary staff, with a total pleaded value of over £1,000,000.
- **Y v MOD & Another (High Court QBD 2018)**: representing the Defendant in a successful "show cause" hearing in the Claimant's claim for damages arising from asbestos-related disease.
- **Re SMB (Warwick Coroner's Court 2018)**: representing the Ministry of Justice at the Article 2 jury inquest into the death of SB, who was found hanging in her prison cell.
- **Re: KV (Warwick Coroner's Court 2017)**: representing a leading infrastructure contractor in the inquest touching upon the death of a cyclist, who was thrown into the path of an oncoming vehicle when her bicycle entered a water-filled pothole on a rural road.
- **H v Ministry of Justice (Leicester County Court 2017)**: successful representation of the Defendant at a 3-day trial in a claim brought by an inmate of a prison who suffered serious injuries in the course of an assault by another inmate.
- **T v M (Lincoln District Registry 2017)**: Junior counsel in a four-day trial in the High Court, in a catastrophic brain injury claim arising out of a fall downstairs in allegedly defective premises.
- **Bull v Collins (Nottingham County Court 2016)**: Represented the successful Claimant at trial in a claim for

- breach of contract and misrepresentation arising out of the sale of a pony.
- *B v (1) CC of Police & (2) BJH (2016)*: successful representation on behalf of the Claimant, who suffered spinal injuries in the course of her work as a police officer whilst trying to restrain an escaped goat, which jumped on the Claimant, causing her to fall to the ground.
- *C v Lee Valley Regional Park Authority (2016) Lawtel LTLPI 9/11/2016 (Unreported elsewhere)*: representing the successful Claimant, who sustained an unstable fracture injury to her spine when she fell from a horse during a riding lesson operated by the defendant.
- **F v W (2016)**: advice, pleadings, and representation on behalf of Mrs F who, along with her late husband, was attacked by the Defendant farmer's bull whilst walking along a public footpath through the Defendant's field. In an out of court settlement, damages were recovered to reflect the losses flowing from Mrs F's serious injuries and the death of her late husband who, sadly, did not survive the attack.
- *Re: MAH (Deceased) (Nottingham Coroner's Court 2015) & AH v NCC (2016)*: representation at a two-week inquest on behalf of the family of a deceased young man with severe autism, who drowned on a trip to a local reservoir whilst in the care of the local authority.
- *City of Lincoln Council v Bird [2015] EWHC 843 (QB)*: appeal against the outright dismissal of the Council's claim for possession against a tenant, whose conduct was found to be threatening and abusive towards both tenants and housing officers.
- *Kozłowska v Thurloe (t/a Judi Thurloe Sports Horses) [2012] EWCA Civ 236*: Successful appeal and re-trial on behalf of a defendant livery yard owner in a claim by a former employee arising from a horse-riding accident.

Recommendations

"She is phenomenally clever." "She's friendly, approachable, always well prepared and an excellent advocate."

Chambers & Partners 2021 - Personal injury

"A very talented advocate with a calm but persuasive style."

"Very knowledgeable on coronial law and procedure, getting to the crux of matters quickly."

Legal 500 2021 - Personal injury and inquests & inquiries

"She is so clever and extraordinarily good." "She's a safe pair of hands and is very down to earth."

Chambers & Partners 2020 - Personal injury

"Responsive, approachable and thorough."

Legal 500 2020 - Inquests & inquiries and personal injury

"Her written work is very thorough and detailed, and she has very good judgement."

Chambers & Partners 2019 - Personal injury

"She provides pragmatic advice." "Very knowledgeable, especially on equine cases."

Legal 500 2019 - Inquests & inquiries and personal injury & clinical negligence

"Her attention to detail is very good. She analyses the legal issues very well." "Georgina is excellent at dealing with equine cases in particular." "She is very thorough and does not miss a thing."

Chambers & Partners 2017 - Personal injury

"Very prompt, has an eye for detail, good on her feet and efficient." "Has a very good way of explaining the complexities of the Animals Act to clients."

Chambers & Partners 2016 - Personal injury