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## Melissa Jones

Called: 2017

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### Practice Overview

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Melissa joined 30 Park Place in 2018 following the successful completion of her pupillage under the supervision of Christian J Howells (Civil and Public) and Catherine Heyworth (Family). Since then, Melissa has developed a busy Civil, Family and Public law practice.

Accepting instruction in all civil litigation, Melissa acts for both Claimants and Defendants in personal injury, RTAs, commercial disputes, OLA, and employment claims. She is regularly instructed in trials, including small claims and fast track matters, applications and CCMCs. Additionally, Melissa is developing a practice in regulatory work, and has achieved excellent results when representing nurses at NMC disciplinary tribunals. In all areas, Melissa is happy to advise throughout the litigation process on liability, quantum, prospects and procedure.

In respect of Melissa's inquest practice, she frequently appears on behalf of families and professional parties. Most recently, Melissa was instructed in a series of six inquests relating to the deaths of residents at a nursing home, on behalf of a nurse who worked at the nursing home. Live issues included care home neglect, the issue of unlawful killing, the protection of vulnerable adults and the effectiveness of inter-agency working. Melissa successfully resisted a finding of unlawful killing against her client, through both written and oral submissions.

Undertaking both public and private children law cases, Melissa's practice encompasses the full spectrum of family proceedings. She represents Local Authorities, parents and the children in a wide variety of public family law proceedings where allegations include neglect, emotional harm and physical harm. Within the realms of private family law, Melissa has experience in DRAs, finding of fact hearings and final hearings, and is experienced in cases where issues range from contact disputes to allegations of neglect, emotional harm, physical harm and sexual harm.

Melissa is developing a busy Court of Protection practice and is regularly instructed on behalf of Local Authorities, Health Boards and RPRs in applications under the Mental Capacity Act 2005 where issues relate both to capacity disputes and decisions regarding residence, care, medical treatment and contact.

Melissa is well-experienced in providing detailed, clear and sensible advice on all aspects of the litigation process across all practice areas in which she operates, as well as having a real proficiency for courtroom advocacy. Melissa is an approachable, personable advocate who has an empathetic but pragmatic approach with both lay and professional clients. Since becoming a tenant, Melissa has developed a busy paper practice across all areas of law, and welcomes this in addition to court work.

Having grown up in Cardiff, Melissa was educated at Cardiff High School before reading Law at the University of Bristol. She remained in Bristol to complete the Bar Professional Training Course before returning to Cardiff for pupillage. In her spare time, Melissa enjoys swimming, cycling and travelling.



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## Notable and Reported cases

- Civil
  - **TH v TH:** successfully represented the claimant at a fast track trial in respect of a road traffic accident, wherein both liability and quantum were in issue.
  - **AJ v MH and Z:** represented the defendant insurer in a matter regarding a road traffic accident and resultant credit hire charges. This involved representing the defendant at the appeal hearing, in which the party was the respondent, and at the subsequent hearing where it was remitted to the lower court for determination.
  - **HE v [1] JM, [2] KM and [3] MT:** represented the second defendant in a claim regarding a multi-vehicle collision. The second defendant was absolved of liability in respect of the road traffic accident on the basis of causation and liability.
  - **SC v T:** successfully represented the claimant at a fast track trial in respect of a road traffic accident, wherein liability was in issue.
  
- Court of Protection
  - **Re RM:** represented the Local Authority in their application made pursuant to s16 MCA 2005 for a decision regarding RM's residence, care and contact with family members. This involved case management decisions and a finding of fact hearing (for which a comprehensive Schedule of Allegations was drafted), wherein historical and current concerns were accepted by the respondent family members and findings subsequently made by the Court.
  
- Family
  - **Re R:** represented the Respondent Father at a final hearing involving an allegation of non-accidental bruising to a child. The Judge found that the injury had not been caused by way of a kick as alleged, but as a result of a lapse of control or play gone wrong.
  - **Re H:** represented the Respondent Local Authority at a hearing to determine the issue of designated authority. The court agreed with the submissions made by Melissa and determined that the Local Authority should not be the designated authority.
  - **Re T-W:** represented the Local Authority in the final hearing of the mother's application to discharge a care order. Upon hearing evidence, cross-examination and submissions, the Judge refused the mother's application and authorised the Local Authority care plan.
  - **Re: B** represented the Applicant Father at multiple case management hearings where the issues in the case related to allegations of historic sexual abuse. The issues at the hearings related to the need for further evidence and disclosure to enable the court to determine the allegations.
  
- Inquests
  - **Operation J:** Instructed in a series of six inquests touching the deaths of residents at a nursing home in the Caerphilly area, on behalf of a nurse who worked at the nursing home. Melissa successfully resisted a finding of unlawful killing against her client, through both written and oral submissions. Operation J was a high-profile criminal investigation arising out of numerous deaths in care homes resulting from abuse and neglect. When the criminal prosecution ceased, there followed a public enquiry and consequently the introduction of a new regulatory system. These inquests represent the final



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proceedings in respect of those deaths. Live issues included care home neglect, the issue of unlawful killing, the protection of vulnerable adults, and the effectiveness of inter-agency working.

- **Re AH:** represented the Health Board at an inquest relating to AH who died in a healthcare setting and where concerns were raised surrounding clinical/nursing care decision-making and record-keeping. This involved cross-examination of lay and professional witnesses, and written submissions on the engagement of Article 2. The Coroner found that Article 2 was not engaged and referred to Melissa's submissions in his decision. The Coroner made several recommendations under Regulation 28.
- **Re ML:** represented the family members of the deceased (ML) in an inquest wherein issues were raised around the response by the police to calls made to the emergency services. After hearing submissions from both Counsel regarding the making of recommendations under Regulation 28, the Coroner exercised that duty and made several recommendations to the police regarding the handling of calls to the emergency services.
- **Re MB:** represented the Welsh Ambulance Service at an inquest where concerns were identified around delay in responding to calls by the deceased. No adverse findings were made against the Ambulance Service.

## Education

- 2016 - 2017: University of the West of England, BPTC, Very Competent
- 2013 - 2016: University of Bristol, LLB (Hons) Law, 2:1

## Awards

- Middle Temple, Jules Thorn Scholarship
- Middle Temple, Blackstone Entrance Exhibition
- University of Bristol, Bristol Outstanding Award
- University of Bristol, Bristol PLUS Award

## Appointments

- 2020, Young Bar Representative for the Wales and Chester Circuit
- 2019, Chambers Wellbeing Officer

## Recommendations

Rising Star (Legal 500, 2022 - Inquests & Inquiries)