

Year of Call: 1989

Practice Areas: Personal Injury, Civil , Clinical Negligence

Email: clerks@cobden.co.uk

Profile

Tim Willitts specialises in the fields of personal injury, clinical negligence and professional negligence. The majority of his practice involves high value claims and complex technical issues, involving detailed consideration of medical and engineering expert evidence. He acts for both Claimants and Defendants and is regularly instructed by insurers in personal injury cases.

Tim has been instructed in a wide variety of personal injury litigation and his experiences includes group litigation, cases where fraud is alleged, claims arising from workplace stress, claims under the Animals Act 1971, inquests (including jury and article 2 inquests), disease work.

He is a well-established clinical negligence practitioner, conducting litigation in relation to all areas of medical and dental practice, including informed consent issues, birth trauma, general, orthopaedic and cosmetic surgery, oncology and dental surgery and claims against nursing/care homes.

Tim has a special interest in sports-related injuries and has a significant specialism in cases involving association footballers at all levels of the pyramid.

Away from chambers Tim can be found in the stands of the Etihad cheering on Manchester City, skiing or at the gym.

Testimonial Quotes

"I have been instructing Mr Willitts for over twenty-five years. His clear-thinking, his attention to detail and his tenacity as an advocate have always been outstanding. Mr Willitts has achieved some remarkable results for my firm and our clients on a consistent basis and over a period of twenty-five years, and always done with a relaxed and friendly approach to solicitor and client alike. I have no hesitation in recommending Mr Willitts for any personal injury, clinical negligence and professional negligence matters. I have grown to trust his judgment implicitly over a long and successful period of working together."

Paul Mulderrig

"I have been instructing Tim Willitts in regard to personal injury and clinical negligence matters for over 25 years and his knowledge, professionalism and skill both as an advocate and advisor are of the highest possible standard and I would heartily recommend him to any solicitor who requires Counsel to represent and advise their client"

Andy Davidson

"Tim is extremely competent, instils confidence at every move and is very easy to work with".

Paul Bayliss



“Thorough on his papers and does not leave a stone un-turned. Great with the more challenging clients and very strong advocacy skills”

Rose Gibson

“Timothy Willitts is highly approachable and demonstrates a naturally calm, reassuring and professional manner in his dealings with his clients and also when on his feet in Court. He quickly gains the confidence and trust of his clients and works constructively with those instructing him, so as to gain the best possible result. He is extremely competent and has always been (and remains) a pleasure to deal with. Highly recommended”

Aidan Jones

Notable Cases

Casey v. Cartwright [2006] EWCA Civ 1280

Instructed by the Claimant, led by David Allen QC

Wood [2008]

Clinical negligence in accident and emergency department, failure to diagnose subdural haematoma leading to significant neurological disability.

Substantial damages recovered shortly before trial.

Instructed by the claimant, led by Richard Hartley QC

Isolagen group litigation [2011-2013]

A novel group claim, involving claimants who had been induced to pay thousands of pounds for autologous cosmetic treatments by misrepresentations in marketing literature. The success of the claims hinged on expert microbiology evidence which proved that the marketing claims were misleading. Judgments in favour of large numbers of claimants within the group.

Instructed by the Claimants, led by Nicholas Braslavsky QC

Owen [2011]

Driver of vehicle involved in high speed head on impact with motorcyclist. Severe multiple orthopaedic injuries.

Substantial damages recovered shortly before trial.

Instructed by the claimant, led by Richard Hartley QC

Wiltshire [2012]

GP's negligence in the administration of pain killing injection, which led to CRPS.

Substantial damages recovered shortly before trial.

Instructed on behalf of the claimant

SD [2013]

Significant brain injury claim

Contested application for substantial further interim payment

Instructed on behalf of the claimant, led by Richard Hartley QC

Wood [2015]

Driver of vehicle involved in motorway rear end shunt who, despite escaping significant physical injuries, developed conversion disorder leading to the loss of use of his dominant right arm. Substantial damages recovered shortly before trial.

Instructed on behalf of the claimant

Shiple [2016]

Football claim. Liability disputed.

Claim succeeded after a fully contested trial, including pivotal cross examination of the match referee

Instructed on behalf of the claimant

Khan [2017]

Paramedic's negligence in misinterpreting ECG trace; failure to diagnose and treat heart attack with long term consequences.

Substantial damages recovered before trial

Instructed on behalf of the claimant

Horler [2018]

Hospital negligence in failing to follow up the claimant, and thereby missing the opportunity to diagnose and treat bowel cancer.

Substantial damages recovered before trial

Instructed on behalf of the claimant

Costa [2018]

Claim made by construction worker who was buried up to his chest when an earth wall collapsed on a building site, sustaining widespread orthopaedic and psychological injuries.

Substantial damages recovered, relatively promptly

Instructed on behalf of the claimant

Amode [2018]

Defending claim arising out of RTA. Fraud and FD alleged.

Following detailed cross-examination, findings of fundamental dishonesty were made against the claimant and the claim was dismissed, with an enforceable costs order against the claimant.

Instructed on behalf of the defendant's insurers

Whitty [2018]

Football claim resulting in severe permanent knee injury. Liability disputed.

Listed for Pre Trial Settlement Hearing; negotiated settlement on liability for 65% of damages to be assessed

Instructed on behalf of the claimant

Welsh [2019]

Football claim. Liability disputed.

Claim succeeded after a fully contested trial

Instructed on behalf of the claimant

Bate [2019]

Defending unusual claim based on the Animals Act 1971.

Claim dismissed after a two day trial.

Instructed on behalf of the defendant's insurers

Polhill [2019]

Dental negligence involving widespread failures of informed consent and the needless removal of several teeth.

Substantial damages recovered before trial

Instructed on behalf of the claimant

Morgan [2019]

Solicitors' negligence in the conduct of a personal injury claim.

Substantial damages recovered before trial

Instructed on behalf of the claimant

Coulter [2019]

Surgical negligence – shoulder surgery undertaken negligently so as to leave the claimant with severe permanent shoulder pain and weakness.

JSM shortly before trial led to the recovery of substantial damages

Instructed on behalf of the claimant

Zeyrek [2020]

Attending inquest on behalf of the family, then successfully claiming damages resulting from an unexplained (and undocumented) fracture dislocation of the shoulder in an immobile care home resident

Substantial damages recovered fairly promptly

Instructed on behalf of the family

Upton [2020]

Pedestrian road traffic accident. Severe, near-fatal, multiple injuries; the claimant had to be resuscitated in the accident and emergency department.

Early JSM led to a speedy settlement for a significant sum.

Instructed on behalf of the claimant

Alfonso [2020]

Pedestrian road traffic accident. Complex medical issues relating to head injury and causation

JSM shortly before trial led to a negotiated settlement in a significantly reduced sum when compared to the claimant's schedule of loss

Instructed on behalf of the defendant's insurers

Finn [2020]

GP's negligence, misinterpreting urine analysis and losing the opportunity to refer a patient for a urological opinion which probably would have led to the diagnosis and successful treatment of cancer

2019 – successfully opposed the defendant's application to strike out the claim

Ongoing

Bennett (2021)

Instructed on behalf of the Claimant. Tripping case brought under the Occupiers Liability Act 1957 regarding land adjacent to Penarth Marina. The Claimant injured her left hip. Initially the local council denied that the land was their responsibility. Subsequent pre-action correspondence confirmed that the council were the owners and occupiers of the land. Liability was denied, primarily on the basis that there was no defect as such and there was no breach of the common duty of care. The claim was contested on all issues. After a two day trial by video the Claimant succeeded subject to a finding of 30% contributory negligence. The Claimant beat a part 36 offer made over a year before trial and recovered substantial damages, including an award for handicap on the labour market and the additional sums payable under CPR 36.17.

Membership

Tim is a member of the following bodies:-

Personal Injuries Bar Association

Professional Negligence Bar Association

The Northern Circuit Medical Law Association

Manchester and District Medico-Legal Society