



## Timothy Hartley

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LL B (Hons) – Bristol

1970 – Called Gray's Inn

### **Areas of Practice:**

Acting principally for claimants, Mr Hartley has developed and maintained a busy personal injury and clinical negligence practice, regularly appearing in County Court, High Court and the Court of Appeal. Also has a busy paperwork practice advising and drafting pleadings in all areas.

### **Clinical Negligence**

- Mr Hartley has frequently been instructed in high value claims on behalf both of birth damaged children and widows and families of fatal accident and catastrophic injury victims, involving difficult issues of medical causation. He regularly conducts conferences with medical experts. In one memorable week, Mr Hartley obtained a total of £11 million from the NHSLA for four clients; two cases arose out of negligent failures at birth, the third related to delay in undergoing surgery and the fourth to negligence during surgery.

### **Personal Injury**

- Mr Hartley acts in claims in respect of personal or fatal injury arising from all causes, including employment, road traffic accidents, slipping and tripping and other accidents, and industrial disease. His industrial disease practice covers VWF, WRULD and deafness claims and cases arising from exposure to asbestos. He regularly advises on limitation points arising in such claims and frequently deals with difficult issues of medical causation. He is used to dealing with medical experts at a high level.

Mr Hartley is increasingly instructed on joint settlement meetings and mediations in both personal injury and clinical negligence cases, regularly acting without a leader against silk.

Mr Hartley accepts instructions on a Conditional Fee basis.

## **Public Inquiries into the management of disasters or crises**

- Mr Hartley has considerable experience of public disaster Public Inquiries, having acted in the Auckland Inquiry, the Stanley Royd Hospital Food Poisoning Inquiry, the Bradford Football Stadium Fire Inquiry and the Cleveland Child Abuse Inquiry. In the last three of these he was instructed by the Treasury Solicitor as Counsel to the Inquiry, having for many years been a member of the Attorney General's Provincial Panel and the first barrister outside London to be appointed to the Treasury Solicitor's list of approved Counsel, following his appearance in the Auckland Inquiry.

## **Contract**

- Mr Hartley has been regularly instructed in contractual disputes covering a variety of issues from agriculture and building to sale of goods and disputes about the quality and value of services provided. His most recently reported case in contract is Habton Farms v Nimmo, a claim for damages for breach of warranty of authority in the sale of a racehorse, which died uninsured soon after the breach. This is a Court of Appeal decision of some importance in a field with little other recent authority. The House of Lords refused the unsuccessful Defendant leave to appeal.

## **Planning**

- Mr Hartley lectured in planning law at Leeds Polytechnic. He has regularly appeared in Road Route and Compulsory Purchase enquiries for the Highways Agency, instructed by the Treasury Solicitor. He has also acted in a number of planning enquiries on behalf of individuals and companies, as well as in applications to the High Court under Section 288 of the T&CPA 1990.

## **Mediation**

- Is an accredited ADR mediator.

## **Cases of Interest**

Public Inquiries into:

Child Abuse at Cleveland  
Food Poisoning at Stanley Road Hospital  
The Fire at Bradford Football Ground

all as Counsel to the Inquiry instructed by the Treasury Solicitor.

The circumstances surrounding the murder of Susan Auckland.

Habton Farms v Nimmo - measure of damages for breach of warranty of authority

Spittle v Bunney - assessment of loss of maternal care

Cussons v Secretary of State for the Environment & North Yorkshire Moors National Park Authority – proper planning approach to proven need for additional agricultural accommodation

**Additional Information**

Membership of Professional Associations: North Eastern Circuit

Career: Formerly Lecturer at the Inns of Court School of Law and in Planning Law at Leeds Polytechnic

Fluent French speaker