

Tim has very good technical knowledge, is always well prepared and willing to go the extra mile. A meticulous, very intelligent junior.

Legal 500 2022



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## Tim Found

Called in 2006 +44 (0)20 7583 9241

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Tim Found's practice is grounded in a wide variety of general common law matters. He has particular experience in the specialties listed below. He regularly appears in the High Court and County Courts across the jurisdiction. He is frequently instructed in JSMs (joint settlement meetings) or other ADR in cases valued at six or seven figures.

All types of paperwork are undertaken by Tim, including drafting statements of case / pleadings, questions to experts, agendas, advising on liability, quantum, prospects, tactics, Part 36, strategy, appeals and generally.

Tim conducts conferences in person with lay clients, experts and his instructing solicitors, either in chambers' recently refurbished facilities or elsewhere whenever required. When speed is of the essence, chambers is able to arrange telephone conferences without the need for outside telephone conferencing facilitators.



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### Location

Farrar's Building,  
Temple,  
London, EC4Y 7BD  
United Kingdom

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### Contact Us

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E: [chambers@farrarsbuilding.co.uk](mailto:chambers@farrarsbuilding.co.uk)  
DX: 406 Chancery Lane

# Clinical Negligence

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Tim acts predominantly for Defendants in clinical negligence matters. He has particular experience in colorectal cases (tears resulting from childbirth, failure of anastomosis after laparoscopic bowel resection, haemorrhoidectomy). In the last twelve months, he has been instructed in cases involving:

- complications following childbirth,
- TIA,
- emboli,
- hip replacement,
- hip dysplasia,
- knee surgery and
- other orthopaedic matters.

He is familiar with claims alleging delayed / missed diagnoses, toxicity of medication, the consent process, negligent treatment and / or surgery. His litigation experience also includes but is not limited to claims arising from general practice, dentistry, midwifery, health visiting and nursing.

Tim regularly appears before the Queen's Bench Masters and the High Court. He is as comfortable in conference with experts as he is delving into the detail in thousands of pages of medical records.

## Costs

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Tim is regularly instructed to advise on and attend summary and detailed costs assessments.

## General Common Law

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Tim's general civil / common law work includes:

- Travel claims
- Holiday claims
- Landlord & tenant
- Insurance matters
- Contractual matters
- Claims for diminution in value
- Criminal Injuries Compensation Appeals Panel proceedings (CICAP)

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# Personal Injury

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Tim represents Claimants and Defendants in personal injury matters with equal frequency. Tim accepts instructions on behalf of individuals, businesses, insurance companies and local authorities. He appears in the High Court and in the County Courts for interim applications to final hearings. He has experience of cross examining expert witnesses at trial in fields of engineering, water and environmental health / toxicology, microbiology, loss of value and a number of medical disciplines.

Much of Tim's personal injury practice arises from road traffic accidents, but he is also very familiar with fatal accidents, highways, tripping & slipping claims, health & safety law, employer and public liability matters. He has particular experience of snow, ice and gritting claims brought under s41(1A) of the Highways Act 1980 or otherwise.

He has also been instructed in quasi-clinical negligence matters such as care of mental health service users and negligent beauty / cosmetic treatment.

# Civil Fraud

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Tim is frequently instructed in civil matters with a fraudulent or exaggerated element to them. He has advised on the obtaining, timing, deployment and reliance of surveillance and open source evidence.

In personal injury cases he has persuaded Courts to make findings of FD, order disapplication of QOCS protection and referral to the Attorney General for Contempt of Court proceedings. He has also successfully resisted such submissions when instructed on behalf of claimants.

His experience in such cases includes low velocity impacts (LVI), phantom passengers, mistaken identity and exaggeration of symptoms and/or damages.

In clinical negligence cases he has advised on and negotiated advantageous settlements in cases where the claimant appeared to have exaggerated their claim.

# Public Access

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Anyone can now go directly to a barrister without having to involve anyone else (e.g. a solicitor). This can be a cost effective and efficient approach to obtaining legal advice.

Tim receives instructions by public access across the range of areas of work that he undertakes. Tim provides advice, drafts documents and can provide representation in court and at mediations. Tim can also negotiate on your behalf by telephone, via remote or video facilities and at face-to-face joint settlement meetings.

If your problem falls within Tim's areas of expertise, please contact his clerks in the first instance for further assistance.

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## Notable Cases

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### S v B (2020)

Represented the defendant NHS Trust in a High Court case that was due for a split-trial on liability in March 2020. The central issue was whether or not the claimant should have been offered thrombolysis in the particular circumstances of his presentation and liability turned on the evidence to be provided by expert Vascular Surgeons. Following the successful resistance of the claimant's application to redact parts of one of the defendant's trial witness statements (a Consultant Vascular clinician), Tim led a round table meeting for the defendant. Just under a fortnight later, and a little short of 3 weeks prior to the trial's commencement, the claimant discontinued his entire claim.

### M v D (2020)

Represented the defending NHS Trust in a medical negligence claim pleaded in excess of £7.1m. The claim arose after a diagnosis of cauda equina (incomplete) and subsequent discectomy. The claimant alleged that she should have received different safety-netting advice at a hospital attendance for back pain, 3 months earlier. Breach of duty was therefore in dispute. The claimant had a poor outcome following surgery. The expert neurosurgeons did not agree causation of the poor outcome, with the defendant's expert opining that it was due to non-negligent (and rarely occurring) arachnoiditis. The claim settled following an offer made at JSM, for the sum of £1.2m, avoiding the costs of a 5-day trial.

### C v P (2019)

Represented the defendant NHS Trust in an Erb's Palsy (Group 2) claim which was pleaded at over £2.6m. A settlement was agreed between the parties less than two weeks before trial. The settlement sum (£650,000) was approved by Mrs Justice Lambert sitting in the High Court, and an anonymity order granted to the infant claimant pursuant to CPR 39.2(4).

### G v X (2015)

Represented the defendant in a case involving complications to the mother following childbirth in which liability was disputed and the claim pleaded at nearly £1.4m. Settlement achieved after JSM.

### Shortall v Mid Essex Hospital Services NHS Trust (2014) EWHC 246

Represented the defendant in a week-long trial of liability as a preliminary issue. The matter concerned the use of the air insufflation test in low colorectal anastomoses following laparoscopic resection of the bowel for removal of cancer.

### Tokyo Industries 5 Limited v Megwa & Anor

Appeared for the successful claimant / respondent in the Employment Appeal Tribunal.

### Nicholson v Thames Water Utilities Ltd & MTS Cleansing Services Ltd (2014) EWHC 4249

Acted for the claimant whose home suffered exterior and interior flooding of raw sewage, the latter of which was not cleared by the sewerage undertaker and was alleged to have led to serious injuries being sustained by the claimant.

If you would like to instruct Tim Found or would like help or advice in doing so, please call and talk to our excellent clerking team, led by senior clerk Alan Kilbey MBE. Our phone number is +44 (0)20 7583 9241. Alternatively, please email us at [chambers@farrarsbuilding.co.uk](mailto:chambers@farrarsbuilding.co.uk)

For more information about our clerking team, please [click here](#) for the clerks page.

## Appointments & Memberships

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- Professional Negligence Bar Association

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- Personal Injury Bar Association
- Bar Pro Bono Unit

## Education & Qualifications

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- Pupillage at Farrar's Building
- Lord Denning Major BVC Scholarship from Lincoln's Inn
- Hardwicke Entrance Award from Lincoln's Inn
- Nottingham Law School (BVC)
- Exeter University (LLB – Bachelor of Law)
- Dulwich College (Scholar)

## Testimonials

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Ranked as a Leading Junior for Clinical Negligence in Legal 500 2023.

*'Particularly good at sifting through complex evidence.'*

**Legal 500 – Clinical Negligence, Leading Junior**

*"He will always go the extra mile and thinks quickly on his feet to get the right result for the client."*

**Legal 500 – Clinical Negligence, Leading Junior**

## Directory Quotes

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*'Tim has very good technical knowledge, is always well prepared and willing to go the extra mile. A meticulous, very intelligent junior.'* Legal 500 2022, Clinical Negligence, London Bar.

*'Extremely personable and understands clients' needs.'* Legal 500, Clinical Negligence, London Bar.

*'Particularly good on paper and sifting through complex evidence'*

## Previous Employment

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Prior to coming to the Bar, Tim worked in both small businesses and larger concerns, in temporary and permanent positions

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across various industries including:

- Aviation (National Air Traffic Services)
- Charity (Age Concern)
- Government (National Probation Service)
- Healthcare (GP surgery and an NHS PCT)
- IT
- Leisure
- Travel

## Personal Interests

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Whenever the time and opportunity presents Tim enjoys, traveling, snorkelling, skiing, playing golf and watching films.

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