

He is really bright and his attention to detail is second to none. He's also very approachable and responsive.

Chambers and Partners 2021



Andrew Wille

Called in 1998 +44 (0)20 7583 9241

Andrew Wille has a growing caseload of complex and catastrophic personal injury and clinical negligence claims. He has a particular interest in brain injury and mental capacity, with recent cases concerning trauma-induced stroke, hypoxia at birth, diffuse axonal injury and early onset dementia.

Andrew represents families, employers and insurers in respect of claims arising out of fatal accidents. He was recently instructed by an employer in connection with the group action arising out of the terrorist attack in Algeria (In Amenas) in which several workers lost their lives and many who survived contracted post traumatic stress disorder.

Andrew is experienced in assessing claims concerning severe spinal injury, tetraplegia and paraplegia. A further area of interest is in respect of lower limb amputation and claims for the cost of bionic prosthetics.

Andrew is regularly instructed to appear in the High Court, County Courts and at inquests, as well as at joint settlement meetings and mediations.



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Clinical Negligence

Andrew has many years experience of clinical negligence work acting for both claimants and defendants. In Singapore he formed part of the legal team (instructed by the MPS) which successfully appealed what was then the largest award in Singaporean legal history arising out of failed brain surgery. Recent claims in England & Wales have included representing a retired actuary whose consultancy career was foreshortened by negligently performed knee surgery (settled for £600,000+), a man who did not receive appropriate antibiotic prophylaxis prior to knee replacement surgery and developed an infection resulting in amputation (settled at JSM with PPO for care needs) and a woman whose brain aneurysm was missed by the hospital radiologist, resulting in delayed treatment and permanent damage to the optic nerve (successfully settled at mediation).

Costs

Andrew is instructed by both claimants and defendants to attend costs and case management conferences in respect of budgets which have ranged from £100,000 up to in excess of £1 million.

Inquests

Andrew has many years experience of attending inquests up and down the country representing the interests of bereaved families, insurers and other interested parties in cases of industrial accidents and disease, road traffic accidents, police pursuit and deaths in hospital.

Insurance

Andrew is experienced in advising in relation to all issues concerning disputed and/or multiple insurance cover, RTA 1988 notice provisions, Article 75 and the applicability and operation of the MIB agreements. He also represents insurers in respect of property damage claims.

Personal Injury

Andrew has experience of the full spectrum of personal injury work with a particular emphasis on brain injury and mental capacity, spinal injury (tetraplegia and paraplegia) and amputation/prosthetics claims. Recent cases have concerned claims relating to severe brain injury, trauma induced stroke, hypoxia at birth, diffuse axonal injury and early onset dementia.

He is frequently instructed to draft schedules and counter-schedules in multi-million pound claims with complex medical

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causation, capacity and quantum issues and is regularly instructed to attend joint settlement meetings and mediations

Andrew represents families, employers and insurers in respect of claims arising from fatal accidents.

Other areas of expertise include the Animals Act 1971, travel law claims and chronic pain conditions.

Civil Fraud

Andrew appeared at first instance and (successfully) on appeal in *Ali v Caton* [2013] EWHC 1730 (QB), [2014] EWCA Civ 1313, a case in which the claimant contended that he had sustained severe brain injury but the defendant alleged gross exaggeration (pre s.57) and adduced evidence of him having successfully passed a demanding citizenship test.

He has since advised in respect of fundamental dishonesty in the context of s.57 in a number of high value cases. He also has extensive experience of advising in relation to surveillance evidence and social media evidence in the context of fundamental dishonesty, including arguments in respect of the admissibility of 'expert' evidence purportedly analysing surveillance footage.

Notable Cases

Robson and Drake (Personal Representatives & Administrators of Miss Tamika Malo) v (1) Shofolahan (2) International Insurance Company of Hannover (2019)

Acting for the Defendant insurer in respect of a fatal accident in which the mother of a young girl was killed. The dependency claim was controversial as it included claims based upon state benefits received by the deceased and also the value of the council flat which the girl vacated following the accident. A settlement was approved by HHJ McKenna sitting as a High Court Judge.

XKR (A Protected Party) v Barts Health NHS Trust (2018)

An £18 million claim the settlement of which on a PPO basis was approved by HHJ Gargan. Andrew represented the Claimant and was led by Bill Braithwaite QC. The case involved a hypoxic birth injury leading to cerebral palsy and significant brain damage. The Claimant needed extensive care and adapted accommodation. In a contested interim payment application HHJ Curran QC awarded sufficient funds to enable the Claimant to buy suitable accommodation and start converting it for her needs before the trial. The Claimant challenged the *Roberts v Johnstone* methodology for calculating the accommodation claim and adduced expert evidence of mortgage interest costs. The claim settled shortly before trial with a substantial contribution made to the capital cost of accommodation.

Minton v (1) LMS (Holdings) Ltd (2) 1 Life Management Solutions Ltd (3) Ashford and St Peter's Hospitals NHS Foundation Trust (4) St George's University Hospitals NHS Foundation Trust (2018)

A bus driver fell whilst playing 5-a-side football and suffered catastrophic damage resulting in incomplete tetraplegia. Spinal decompression was successfully carried out in hospital but only after many hours of delay. The claim was brought against the occupiers of the 5-a-side court and also the hospitals responsible for his subsequent treatment. Complex issues of medical causation. Andrew acted for the claimant and the case was settled at the JSM.

KLM (A Protected Party) v McCarroll (2018)

Acting for the Defendant in this case involving a claimant with a brain injury who also had a personality disorder prior to the accident. The case was complex due to the need to distinguish between that which was attributable to the accident and that which was attributable to the pre-existing disorder. Capacity was also in issue. The Defendant contended that the Claimant would have lessened or prevented his injury had he worn a bike helmet and relied upon engineering and neurosurgical expert opinion to this effect. Case settled in Dec 2018 and subsequently approved.

GRS v Dunbia (Wales) (2018)

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Acting for a Claimant with a learning disability attributed to pre-existing cerebral palsy, yet who managed to work in an abattoir until severely injured by a collapsing pile of crates, resulting in a hip fracture. The Claimant lost not just his employment but also the structure and support that the employment provided. He claimed for the cost of a case manager and vocational activity in the community. Settlement approved by HHJ Harrison.

RAS (A Protected Party) v Ageas Insurance Ltd (2015)

RAS, a young man, rendered blind and brain damaged in an RTA. Devastating combination of injuries in that claimant faced the challenge of learning to cope with blindness and brain damage at the same time. Multi-million pound claim. Acting for defendant insurer. Led by Alan Jeffreys QC. Settlement approved by HHJ Denyer QC in July 2015.

D (A Protected Party) v W (2015)

Acting for severely brain damaged claimant who, remarkably, had managed to retain his job in an abattoir. His job provided him with a modest income but also a routine and social contact. Careful consideration required of future care and support needs given uncertainty as to what would happen if his employment were terminated and on retirement. Led by John Leighton Williams QC. Settlement approved by HHJ Bidder QC in February 2015.

Ali (A Protected Party) v (1) Caton (2) Motor Insurers' Bureau (2014)

Respondent to appeal against first instance award. Brain injury with borderline capacity and allegation of malingering. Judgment of Stuart-Smith J upheld on all fronts. The C of A endorsed the judge's findings in relation to capacity which were based on family and carers' accounts notwithstanding the reservations of some of the medical experts: "The opinion formed in the consulting room does not dictate what happens on the street or in the home." (McCombe LJ). Led by John Leighton Williams QC.

Reynolds v AXA Insurance UK Plc (2014)

Acting for claimant, a young man with pre-existing ADHD, who suffered severe leg injury in RTA resulting in amputation. Led by Jonathan Watt Pringle QC. Settled subsequent to JSM for in excess of £1m.

(1) E (A Protected Party) (2) [X] County Council v Ageas Insurance Ltd (2014)

Acting with Alan Jeffreys QC for defendant insurer in brain injury claim arising out of RTA. Claim pleaded at over £3m. Attempt of local authority to intervene seeking declaration in respect of its continuing statutory obligation to provide claimant with domiciliary care after award of compensation against defendant insurer. Revisiting of issues raised in Crofton, Sowden and Peters.

Ali (A Protected Party) v (1) Caton (2) Motor Insurers' Bureau (2013)

Successfully representing a brain-damaged claimant who recovered the lump sum equivalent of £2.3 million (subject to 20% contributory negligence). A key issue was the significance of failed symptom validity testing (SVT) in neuropsychological assessments. Stuart-Smith J's 130 page judgment has been widely cited since on SVTs and on quantification of future care: J.P.I.Law 2013, 4, C215-C219, PNBA's Facts & Figures 2015/6 pp.288, 290, 292.

Re: Alan Beutner (Deceased) (2013)

Represented the family at the inquest into the death of Alan Beutner heard by the Plymouth Coroner in February and March 2013. Jury returned a narrative verdict which was critical both of the system of work and healthcare received by the deceased before his death. Reported in Plymouth Herald, 4th March 2013.

Horsfield v Premier Food Group Ltd

66 yr old passenger standing in bus when hit by lorry. Claimant was thrown forwards to the ground, sustaining C4/5 incomplete tetraplegic paralysis. Confined to wheelchair. Adapted accommodation needed. Hoist assisted transfers. Claim for £220k pa care package (2 carers). Capitalised claim pleaded at £2.9 million. Settled at JSM on PPO basis. Led by Jonathan Watt-Pringle QC.

Spicer v (1) Hughes (2) Delaloye (2011)

RTA in which claimant (C) was the passenger in a Golf which was driven off the motorway and down an embankment. Driver (D2) claimed to have been forced into evasive action by third party (D1). C was impaled by branch of tree suffering internal injuries to pancreas and duodenum plus PTSD. Trial before HHJ Hamilton at Reading County Court in December 2011. Judgment entered for C vs D2.

Albert Meyer (Widower and Administrator of Estate of Valerie Meyer (Deceased)) v (1) Wrexham County Borough Council (2) Redrow Homes (North West) Ltd (2011)

Accident in which claimant (C) and his wife were driving home from holiday along a dual carriageway at night when they drove into three horses in the road. C broke his neck and his wife was killed. The horses belonged to local gypsies who grazed their horses on adjacent fields belonging to D1 and D2. Grazing was without permission but C's case was that it was known about, that the land was not stock-proof and that steps should have been taken to avert an accident that

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was waiting to happen. Settled at tripartite mediation in June 2011.

If you would like to instruct Andrew Wille 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

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

Appointments & Memberships

- Personal Injury Bar Association
- Professional Negligence Bar Association
- London Common Law & Commercial Bar Association

Education & Qualifications

- Hardwicke Scholarship and Thomas More Bursary, Lincoln's Inn
- Pegasus Scholarship, Singapore
- Scholar of University College, Oxford
- BVC, Inns of Court School of Law (1997 – 1998)
- CPE, City University (1996 – 1997)
- BA, Modern History, University College, Oxford (1993 – 1996)

Directory Quotes

Andrew Wille is listed as a leading junior for personal injury law in both Chambers & Partners and the Legal 500.

“He takes a forensic approach and thinks about the detail very carefully.” “He is really bright and his attention to detail is second to none. He’s also very approachable and responsive.”

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‘Tactically very astute and technically very able.’

Legal 500 2020

“He’s very bright and a very good advocate.” “He’s very sharp and gets to grips with issues quickly.”

Recent work: Instructed in *Read v Jack*, a case in which an elderly pedestrian suffered a severe brain injury after being run down

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by a motorist.

Chambers UK 2019

Accepts instructions from both claimants and defendants in his specialist area of life-changing brain and spinal injuries. He is also routinely involved in amputation cases and matters concerning serious accidents involving animals.

Strengths: *“He’s really good with clients, an excellent communicator and really good at achieving the desired outcome.”*

Recent work: Acted for the claimant in *Spencer v Terry*. The claimant had been thrown off her horse after being chased by the defendant’s dog.

Chambers UK 2017

Noted for his expert handling of catastrophic brain injury claims. He also has significant expertise on both Animals Act litigation and inquests after fatal accidents.

Strengths: *“He is bright, thoughtful and a natural advocate.”* *“He is personable and is quick to get to grips with a really complex case.”*

Recent work: Acted for the claimant in *Davies v Wright*, where an RTA left a man with significant neurotrauma and led to a claim for £2.4 million.

Chambers UK 2016

“He has an extraordinary eye for detail while not losing sight of the big picture.”

Legal 500

‘He has a calm head on his shoulders, an easy going manner and is thorough in his work’.

Legal 500 2018



Personal Interests

In his spare time Andrew promises to mow the lawn. He enjoys visiting vineyards, studying architecture and listening to Test Match Special.

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