

Thea Wilson

Call: 2008
wilson@12kbw.co.uk

AREAS OF EXPERTISE

Clinical Negligence, Personal Injury, Inquests, Fraud, Costs
& Litigation Funding, Industrial Disease, Credit Hire

Thea specialises in Clinical Negligence, complex Personal Injury claims, and Inquests.

Thea has a wealth of experience in handling cases involving delayed diagnosis, birth and pregnancy-related injuries, spinal injuries, brain damage, psychiatric injury, chronic pain and fatal accidents. Thea is particularly adept at handling complex quantum calculations.

Thea's role as Assistant Coroner for Essex gives her insight and expertise in the inquest process. She regularly acts for interested parties at inquests, in particular in claims involving clinical negligence, road traffic accidents, and deaths in custody and is happy to advise on all aspects of the coronial process.

Thea's expert knowledge of the CPR stands her in good stead in acting for and advising solicitors on procedural matters in relation to applications and appeals, and in respect of costs. She is sought after in cases with a potential fraud element and has a wide range of experience dealing with insurance coverage issues.

Thea is regularly instructed by trade union organisations, local authorities, insurers, the NHS, and the MIB.

With an eye for detail and a sympathetic manner, Thea is experienced in dealing with vulnerable claimants. Thea has represented victims of sexual and physical abuse both in civil claims and before the Criminal Injuries Compensation Authority Tribunal.

Thea is happy to accept cases on a CFA basis and is willing to consider Pro Bono instruction where appropriate.

Clinical Negligence

Thea acts for claimants and defendants in clinical negligence cases arising from a variety of procedures or incidents, in particular:

- Injuries to both mother and baby during pregnancy, labour, and birth
- Delayed or misdiagnosis claims
- Eye injuries and diseases
- Gastrointestinal illnesses and surgery
- Negligence involving joint replacement surgery and aftercare
- Sepsis
- Plastic surgery claims
- Dental negligence
- Failure to obtain informed consent

Thea splits her practice approximately 50/50 between claimant and defendant work, and has acted for NHS Resolution, the MDU, and the Association of Optometrists.

Thea has considerable experience in advising on liability, quantum and causation; drafting pleadings; drafting agendas



for expert meetings; drafting Part 18 and Part 35 questions; holding conferences with experts; and representing clients at JSMs, mediations, and in representing parties at all levels of Court hearings.

Recent examples of Thea's cases include:

- *M v An NHS Trust* – Advising a claimant who suffered hypoxic brain injury following a premature birth outside hospital.
- *H v Dr K* – led by William Audland KC, pleaded and advised in a Cauda Equina case.
- *T-G (Dec'd) v An NHS Trust* – Advising and pleading particulars in a claim for delayed diagnosis of terminal breast cancer. Despite hotly contested arguments on causation and unsupportive medical evidence, settled for a five-figure sum.
- *S v Dr W & An NHS Trust* – Advising in conference and on paper on liability and quantum, pleading the defence, and representing the defendant at CCMC in a claim involving delayed diagnosis of retinal detachment.
- *K v TR Ltd & An NHS Trust* – led by Harry Steinberg KC, representing the claimant in a claim for delayed diagnosis of a vascular injury following a tripping accident. Delayed diagnosis and failure to treat resulted in a serious knee injury becoming an above knee amputation. Settled at JSM in 2019 for a seven-figure sum.
- *MP v An NHS Trust* – led by William Audland KC, representing the defendant in a claim involving serious brain injury during the post-operative period with allegations of surgical negligence, mishandling ITU care and failures of nursing care. Liability and causation in dispute. Settled at JSM shortly before trial.

Cases

S v L Hospital – Acting for a claimant in clinical negligence claim arising out of stillbirth.

C v A Ltd – Defending a claim for clinical negligence, breach of contract and defamation arising out of a medical report on a person seeking disability benefit.

AG v MH Limited – Drafting a counter schedule in a case pleaded at over £1.1 million. Case settled at JSM shortly afterwards for £300,000.

V v S BC – Representing a teacher injured in a tripping accident due to a defective staircase. Settlement secured.

B v R – Successfully defending an elderly woman against an allegation that falling down an escalator was negligent.

Re: W – Successfully appealing a finding by the CICA that a secondary victim was not present during the immediate aftermath of a serious domestic assault on a family member

Re: Z & M – Successfully appealing the denial of a CICA award arising out of domestic abuse and sexual abuse, demonstrating the appellants were victims of a crime of violence.

Re: DT Deceased – Representing a care in the community service facing allegations of neglect at an inquest following the death of a patient. Death found to be due to natural causes.

Re: OJ Deceased – Representing the family at an inquest involving the death of a baby during brain surgery.

A v H – Successfully defending and demonstrating fraud in an Low Velocity Impact claim arising out of a bus accident.

H & Others v P & B Ltd – Defending an insurance company in a fraud case involving three Claimants, successfully proving that the Defendant driver was out of the country at the time of the alleged accident.

S v HTB – Successfully defending a claim of Noise Induced Hearing Loss brought by a former employee following a single incident of noise from a machine's alarm.

Qualifications & Awards

- MA (Hons) Law, Newnham College, Cambridge University
 - LLM, Duke University
 - BVC, BPP Law School
 - Certificate in Forensic Medicine, Academy of Forensic Sciences
-
- Winner of the Betty Wu Lee Prize Law Tripos, Newnham College, Cambridge
 - Exhibition, Inner Temple

Appointments & Memberships

- Barrister Governing Bencher of Inner Temple
- Approved Advocacy Trainer for Inner Temple
- Member of the Personal Injuries Bar Association; the South Eastern Circuit; and AvMA

Publications & Lectures

Regular contributor to 12 King's Bench Walk's Clinical Negligence and Personal Injury blogs.

Regular speaker at 12 King's Bench Walk seminars in Personal Injury and Clinical Negligence.

Gives lectures direct to solicitors and insurers on a variety of topics.

Recent seminars include:

- Experts and how to make the most of them
- Why are heart attacks in women underdiagnosed? A seminar to explore the medicine and the legal ramifications
- Disclosure: The Basics and Not-so-Basics