

Barrister Profiles Will Young

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Will Young

Year of call Email
2008 will.young@outertemple.com

Will Young's main areas of work are personal injury and clinical negligence, employment law, and professional discipline.

Will regularly acts in personal injury claims in the County Court. His cases include a wide range of personal injury actions, as well as an expanding practice in the area of clinical negligence, in which he regularly advises and drafts pleadings for both Claimants and Defendants. He also appears at inquests. Will has experience of working with a leader as well as in his own name, having acted as a junior to [Harry Trusted](#) in recent clinical negligence cases.

Will also appears in the Employment Tribunal on a regular basis, representing both Claimants and Respondents and has experience in the Employment Appeal Tribunal. He is regularly instructed in multi-day discrimination, whistleblowing and unfair dismissal cases. Within the employment sphere Will has a particular interest in claims involving medical personnel, having acted for both NHS Trusts and medical employees (including doctors).

In addition, and complementing these areas of practice, Will also has a strong interest in Regulatory and Disciplinary Law, in particular medical disciplinary proceedings. He has appeared on behalf of registrants before the GMC and other professional disciplinary tribunals, in particular the NMC (as well as acting as a case presenter).

Will is of the view that his different areas of practice compliment each other, and the experience he has gained in each area is very often of benefit to his clients and cases in the other areas. Will is a tenacious advocate both in person and on paper, able to grasp complex factual situations quickly and to present arguments persuasively. His advice is thorough and always maintains a focus on his client's needs and requirements.

Will studied Modern History at Oxford University, before completing his Graduate Diploma in Law. He is a Lord Denning Scholar of Lincoln's Inn. He was a 2012 Pegasus Scholar. Outside of the law his

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interests are history; politics; music; and sport, rowing in particular, having coxed the Oxford reserve boat in the 2004 Boat Race.

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Clinical Negligence

Will has an expanding practice in this area. He regularly advises and drafts pleadings in his own name for both Claimants and Defendants in cases involving a wide range of clinical disputes.

In addition he has experience of acting as a junior in larger cases, having been led by Harry Trusted in recent cases, assisting with drafting Schedules of Loss and advising on quantum of damages. He regularly appears in interlocutory hearings in clinical negligence cases.

Will's advice is thorough and comprehensive, and he always aims to be practical, realistic and attuned to the needs and expectations of his clients, whilst seeking to achieve the best outcome reasonably possible. He is comfortable and confident in handling expert evidence in factually complex medical situations, and in dealing with medical experts in conference and in court. His experience of, and expertise in, Cost Management hearings is particularly useful to his clients, given the importance to the whole of the claim of the costs budgeting process.

Recent cases have included:

Assisting Harry Trusted with drafting an advice on quantum and drafting a Schedule of Loss in a case involving alleged misdiagnosis of a spinal infection. The case involved a claim for substantial periodical payments in relation to the care claim, and is pleaded with a capitalised value of around £2.4 million.

Acting, led by Harry Trusted, for a claimant in an action against an NHS Trust and the police after she was seriously injured in a suicide attempt, resulting in bi-lateral below-knee amputations. The claim involved significant prosthetic and care claims, and was settled after a joint settlement meeting for £2 million.

Appearing for the Claimant at trial in an action relating to allegations of negligence during a total knee replacement. The case involved contested expert evidence concerning surgical technique and analysis of post-operative radiography.

A claim against multiple GPs for negligent failure to diagnose a particular elbow injury over a 9 year period, which settled after exchange of pleadings.

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Disciplinary & Regulatory

Will is also instructed in cases involving regulatory and disciplinary law, particularly involving medical practitioners. He has acted as a case presenter for the NMC, as well as representing registrants before the GMC, NMC and the HPC (as it was previously).

Will's practice in other areas, in particular clinical negligence, is helpful when acting in medical disciplinary cases, and his experience at dealing with expert medical evidence is particularly useful when acting in such cases. He is available to advise in such cases, as well as appearing at hearings.

Particular cases include:

Acting for a doctor in front of the GMC facing allegations of fraudulently obtaining free NHS prescriptions for relatives overseas. The registrant avoided having his registration erased, and instead was suspended.

Acting for a nurse (and manager of a residential care home) in front of the NMC in an eight day hearing surrounding allegations that her fitness to practice was impaired as a result of failings in the care provided under her management at the home. The hearing resulted in Will's client avoiding a finding that her fitness to practice was impaired.

Will acted for a paramedic in front of the HPC, involving allegations of sexual assault of a patient whilst under his care in an ambulance.

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Employment & Discrimination

Will appears regularly in the employment tribunal acting both for Claimants and Respondents. He also appears in the Employment Appeal Tribunal, and he provides advice and drafts pleadings when required.

Will has a particular interest in employment cases involving medical staff, having acted for NHS Trusts as well as their employees, including doctors, in cases involving whistleblowing, discrimination, and contractual disputes.

Recent cases include:

An eight day case involving allegations of unlawful detriment and automatic unfair dismissal on account of trade union activities.

A 13 day case involving allegations of disability discrimination, in particular a failure to make reasonable adjustments, over a period of four years.

An 11 day case involving allegations of detriment on account of protected disclosures and unfair dismissal. Will acted for a doctor claimant, against an NHS Trust; the case involved large amounts of documentation and cross examining the Respondent's 21 witnesses over a number of days.

An EAT hearing involving consideration of whether the Tribunal had correctly applied the burden of proof and the rules concerning the application of time limits in a race discrimination claim.

An EAT hearing in which Will acted for the Claimant (Respondent to the appeal) resisting the Respondent's appeal against the refusal to allow a substantive appeal to be presented out of time.

Will is a member of ELA.

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Personal Injury

Will acts for both Claimants and Defendants in personal injury actions, although primarily for Claimants. His cases involve a wide range of personal injury actions, including claims under the Highways Act, Occupiers Liability Act, and the Fatal Accidents Act, as well as employers' liability claims and travel claims, in particular under the Package Travel (et al) Regulations.

He advises, drafts pleadings and appears in court on a regular basis, as well as attending joint settlement meetings. Recent cases have involved: achieving a settlement of £140,000 for a Claimant involved in an accident at work, in which there was a significant dispute about the extent of the Claimant's handicap on the labour market; a claim settled for £75,000 involving allegations of negligence on the part of the occupiers of a sports club; and a slipping accident at work in a liability settlement was agreed between the parties after extensive negotiations.

Will has extensive experience of Costs Management hearings, and brings this to bear in obtaining the best result for his clients in terms of budgets, which is a crucial, but often under-appreciated element of modern litigation.

He also takes part in seminars and events for solicitors' firms, giving talks on relevant topics for CPD training. Recent topics have included handling experts; witness statements; and Fatal Accidents Act cases.

Will is a member of APIL and PIBA.

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Awards

- Lord Denning Scholar (Lincoln's Inn)
- Pegasus Scholar (2012)

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Recommendations



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