



Year of call 1993

Year of silk 2008

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Areas of Practice

Criminal & Disciplinary, Damages & Reparation, Employment & Discrimination, and Public Law & Equality

Qualifications

LLB (ABERDEEN) 1989

DIP LP (ABERDEEN) 1990

Representative Cases

Outer House:

2018

DUNCAN HARRIS V NFU (PD2690/15)

Severe brain injury case involving 9 year old child whilst travelling in a school taxi back to parent's home. Acting for the pursuer. Complexity of case informed by assessment of likely school achievement and career absent accident. Multiple quantum reports on both sides. Father had also suffered psychiatric reaction to son's injuries which was compounded by loss of his wife shortly after accident. This required careful management in meetings that very often highly charged due his anger at events. Eventual extra judicial settlement at door of the court for £9.5 million.

2020

YVONNE LOCHRIE V NATIONAL WAITING TIMES CENTRE BOARD (A409/16)

Medical negligence case. Acting for the pursuer. Woman in her forties undergoing elective radio frequency ablation cardiac procedure. The procedure was intended to correct atrial fibrillation. Post procedure the pursuer developed a cardiac tamponade. She suffered a cardiac arrest with subsequent hypoxic brain injury. Negligence arguments concerned not just the procedure but also the pursuer's care post surgery whilst in recovery. Multiple expert reports lodged by both sides. Pursuer unable to work again and requiring extensive help from family to maintain her independence. Settled door of court January 2020. Substantial damages agreed well in excess of 1 million pounds. Liability disputed until a month before the proof with case then proceeding on quantum. Multiple tenders rejected until improved offer made just before case due to be heard by judge.

2021

PRITCHARD V EUI LTD T/A ADMIRAL INSURANCE (A14/18)

22 year old man suffered multiple injuries including a severe diffuse axonal brain injury in a road traffic accident. Settled extra judicially in February 2021 for £18 million shortly before an 8 week proof. The brain injury meant that he was no capable of independent living with paid care support required for the remainder of his life. The injury occurred just short of his 18th birthday. The professional 24 hour care costs were assessed as likely to extend over 50 years.

2021

ALEXANDER MCCONNELL V CALEDONIA MEDICAL PRACTICE

Medical negligence case. Acting for the pursuer. Man in his sixties developed a recurrent cough. Prescribed medication by GPs. He developed a serious movement disorder similar to Parkinsons as well significant anxiety and mood disturbance following an unnecessarily prolonged prescription of medication. Liability and causation denied with opposing opinion reports lodged by defenders. Complex case particularly on causation given interplay of various drugs (negligently prescribed drug as well as non negligently prescribed medication) and side effects associated with each drug requiring to be understood. Case settled extra judicially with damages agreed in 2021.

2022

DIANE HAY AND OTHERS V NHS EDUCATION SCOTLAND AND REGENT GARDENS MEDICAL CENTRE(A315/19)

Medical negligence case against GPs. Acting for the pursuer. Negligent prescription of drugs. Deceased man in his fifties. Cause of death was brain haemorrhage linked to prescribed drugs. Liability and causation disputed. Contradictory reports to the pursuers lodged by the defenders. Complex arguments involving effect of prescribed drugs on blood pressure as well as discussions about type of haemorrhage involved and whether explained by the prescribed drugs. Case settled after pre-trial meeting in 2022. Substantial damages agreed.

2023

CHRISTINE HALL V SCOTTISH MINISTERS (A350/19)

Tetraplegia case arising from mountain biking accident within Forestry Commission trail. Acting for the pursuer. Difficult case based on Occupiers Liability (Scotland) Act 1960 with elevated litigation risks for the pursuer. Catastrophic effect of injuries on all aspects of pursuer's life. Number of experts on liability as well as multiple quantum reports. At pre-trial meeting in December 2022 it was stated that there would be no offer. Settled extra judicially a few weeks short of the proof in February 2023. Substantial damages agreed.

Sheriff Court

MCINTOSH V AVIVA INSURANCE LTD AND ANOTHER 2018 GWD 3.57, Sheriff K.Mackie

8 day proof on liability. Road traffic accident involving motorcycle and a lorry on a bend. Acting for pursuer motorcyclist. Pursuer's insurers had paid out to the insurers of the lorry. Expert road traffic accident reconstruction evidence led on both sides. Full damages awarded to the pursuer in sum agreed.

2021

MARTIN MCKEE V TOUGH AND ANOTHER 2021 8 WLUK, Sheriff Dickson

Road traffic accident. Acting for pursuer. Defender driver had been unsuccessfully prosecuted for dangerous and careless driving and found not guilty by a jury. 8 day civil proof conducted remotely. Expert road traffic reconstruction experts led on both sides. Damages to the pursuer for agreed amount less 25% contributory negligence.

2023

DENNY V CHIVAS BROTHERS LTD

8 day proof. Deafness case. Acting for the pursuer. Liability and causation denied with quantum agreed after proof. Expert occupational hygienist evidence both sides as well as expert medical opinion. Case complexity was increased as pursuer had been supplied with hearing protection (and also worn them) for much of her 30 years of employment and yet still developed hearing loss. Expert evidence on levels of noise and attenuation provided by hearing protection. Award of full damages to the pursuer.