

## David Knifton KC

Call 1986



### Clerks' Details

Neil Wright  
0151 242 8814

### Appointments

- Accredited Mediator (2006)
- Recorder - Crown and County Court (2002)

### Memberships

- Northern Circuit
- Personal Injury Bar Association
- Professional Negligence Bar Association

### Education

- LLB (Hons), University of Nottingham (Class II.i, 1985)
- Inner Temple, Duke of Edinburgh Entrance Scholarship

### Clinical Negligence

#### Overview

David practises exclusively in high-value personal injury and clinical negligence cases on behalf of claimants. He is recommended as a leader in those fields by both Chambers & Partners and The Legal 500, and was shortlisted by the latter as PI Silk of the Year in 2023. He will generally only accept new instructions in cases with a value in excess of £1m, and consistently achieves settlements each year totalling £20m-30m.

David has extensive experience of high-value clinical negligence claims, including:

- Wrongful birth
- Obstetric injuries, including cerebral palsy
- Failures/delays in diagnosis (particularly in cancer cases)
- Consent issues
- Negligent treatment
- Claims against alternative medical practitioners

Described by a partner at a leading clinical negligence firm as “a joy to instruct”, he wins widespread praise for his thorough preparation, sensitive client-handling, up to the minute legal knowledge, and excellent negotiation and advocacy skills. Chambers & Partners describes him as “very talented and highly impressive for his attention to detail”, noting that he has “excellent interpersonal skills and a great ability to put clients at ease”, whilst being able to “grapple with complex cases with apparent ease and confidence.” The Legal 500 says he is “an excellent barrister who is always prepared for a fight. He is a great advocate who has the confidence to cross-examine and also to challenge defendants on difficult points, and he is the first port of call for a difficult case.”

## Recommendations

“Talented silk who specialises in acting for claimants who have suffered catastrophic brain and spinal injuries and amputations, notably those with complicating factors such as disputed liability and contributory negligence. He is skilled at preparing schedules of loss.” “His skills in serious personal injury cases are second to none. He is my go-to silk for the most complex matters.” “David is very technically astute and knowledgeable.” “He is effortlessly knowledgeable in personal injury matters of the utmost severity and complexity.”

### **Chambers and Partners 2024 – Personal Injury Tier 1**

“David Knifton KC acts exclusively for claimants in complex clinical negligence cases. He frequently handle obstetric injury, surgical negligence and delayed diagnosis claims, and offers expertise in cases involving complex issues of consent.” “David is very talented and highly impressive for his attention to detail.” “He is thorough and articulate. He has excellent interpersonal skills and a great ability to put clients at ease.” “He grapples with complex cases with apparent ease and confidence.”

### **Chambers and Partners 2024 – Clinical Negligence Tier 2**

“David is extremely bright and his ability to grasp complex matters is second-to-none. He is the best there is, he has excellent communication skills, and he is able to express himself very clearly.”

### **Legal 500 2024 Leading Silks – Personal Injury Tier 1**

“David is an excellent barrister who is always prepared for a fight. He is a great advocate who has the confidence to cross-examine and also to challenge defendants on difficult points, and he is the first port of call for a difficult case.

### **Legal 500 2024 Leading Silks – Clinical Negligence Tier 2**

“David is incisive when dealing with evidence.” “He is very organised and responsive with a friendly client manner.” “He is brilliantly persuasive.” “David’s preparation skills and creativity are really fantastic.” “He is an exceptional tactician and strategist.” “He meticulously analyses cases.” “David is outstanding.” “He identifies the key issues in any case with pinpoint accuracy.”

### **Chambers and Partners 2023 - Tier 2**

“David’s grasp of the primary material and evidence is beyond impressive. He is able to drill down into the granular detail of every important point, because he has absorbed and analysed the relevant medical records, witness evidence and expert reports. He is able to use that attention to detail to steer conferences with experts and clients through the important areas with efficiency and skill. His lay clients trust and respect him. They feel reassured by his ability to demonstrate an in-depth understanding of their case and he is able to talk them through the litigation (including complex points and difficult concepts) in a way which they are able to easily understand and engage with. David has secured some excellent results for his clients.” “Clients trust in him completely and he will fight tooth and nail to get the best possible result. He has a forensic, yet down-

to-earth, relaxed approach: he meticulously analyses cases and explores all avenues to ensure excellent results are achieved. He has an abundance of experience with clinical negligence catastrophic injury claims. He works tirelessly and is always available to provide prompt, clear, effective advice. His attention to detail is second to none. A thorough silk with unrivalled determination and skill.”

### **The Legal 500 2023 – Leading Silk, Tier 1**

“Forensic, accessible, innovative and great with clients.” “He is able to distil complex clinical negligence cases down to the key issues, and his advice is well prepared, well structured and well delivered.” “He is technically excellent, and his attention to detail is second to none.” “He is extremely effective and very energetic. He is clear with clients, caring and very responsive.”

### **Chambers and Partners 2022 - Tier 2**

“David is highly impressive and effective with clients and experts alike. All good Silks can refine cases down to a few key issues, but David goes further providing a certain clarity to difficult issues. He is forensic in his approach and delivers his advice in a clear, effective manner leaving nothing to be misunderstood. Excellent with clients and experts. A problem solver and a thinker.”

### **The Legal 500 2022**

“An excellent strategist who is completely trusted by clients and will fight tooth and nail to get the best result possible. He is bright, sharp and has excellent attention to detail.” “He is very approachable and good at explaining difficult issues to clients.”

### **Chambers and Partners 2021**

“David has great technical knowledge and a keen forensic eye for detail, and his experience sitting as a Judge, places him in an excellent position to advise on the likely approach of the court. David has a relaxed and calm manner which is particularly helpful with claimants. David has always been very accessible which is crucial in litigation, available to provide fast advice and guidance on situations that may arise.”

“David is calm, patient with families who have seen the worst things happen to them, and a determined and able advocate. He will fight difficult cases and is able to quickly determine the right approach on any case. He is not shy of taking on the most difficult cases and successfully navigates them.”

### **The Legal 500 2021**

“He’s a good negotiator and is very thorough.” “He’s always well prepared and has very good attention to detail.”

### **Chambers and Partners 2020**

“A true claimant specialist who is determined to fight for clients.”

### **The Legal 500 2020**

“He is able to deal with huge amounts of detail and quantum elements very quickly. He is organised in his approach and in conferences he will provide a detailed plan, which

clients appreciate.”

**Chambers and Partners 2019**

“He argues his points with a steely charm.”

**The Legal 500 2018/19**

“Technically excellent. He takes a pragmatic approach to cases and is very approachable.”

“He has a keen eye for detail and gets excellent results. Clients like him.”

**Chambers and Partners 2018**

“Just supreme in his technical ability, though his best asset is the way he can take something that appears indecipherable and break it down into manageable terms, not only for the solicitor but for the client.” “He takes no nonsense and gets the job done. Meticulous in his preparation and strong in negotiation, he is a calm but strong and reassuring presence.”

**Chambers and Partners 2017**

“Thorough, quick and tactically astute.”

**The Legal 500 2017**

“A highly-experienced senior junior who acts primarily for claimants on cases involving serious injuries, with notable expertise in military claims... He is meticulous in his approach. He’s calm and patient with clients, with a reassuring and confident demeanour. He is efficient, accessible and approachable. He has excellent technical skills together with a superb manner with clients.”

**Chambers and Partners 2016**

“He has a fantastic eye for detail, and is always calm and rational under pressure.”

**The Legal 500 2016**

“Focuses in particular on claimant work, with notable skills in dealing with matters involving brain, spinal injury and military claims. Interviewees particularly praise his excellent client skills.” “He is fiercely intelligent whilst also being tactically brilliant.” “He is very practical, and has a very nice manner with clients and opponents.”

**Chambers and Partners 2015**

## Cases

**D v Newcastle upon Tyne NHS Foundation Trust (2024):** Challenging obstetric negligence claim, where failure to expedite delivery by caesarean section after ante-partum haemorrhage led to hypoxic injury resulting in severe quadriplegic cerebral palsy. Despite breach of duty and causation remaining firmly in dispute, David skilfully negotiated liability settlement terms at a JSM in 2024 which will guarantee the recovery of substantial damages to meet the child's lifetime needs

**D v St Helens & Knowsley NHS Trust (2024):** Challenging clinical negligence claim, involving an alleged failure by consultant paediatrician to refer a patient with a complex vascular formation to a specialist unit, and by GP to action a request for a thoracic CT scan, leading to tumour progression and permanent spinal cord injury. Listed for trial in 2024

**W v Northern Care Alliance NHS Foundation Trust (2023):** Negligent delay in diagnosing and treating spinal epidural abscess in 63 year-old woman, leading to incomplete spinal cord injury and paraplegia. Despite an initial refusal from the Trust to agree provisional damages for the risk of a syrinx, David negotiated damages of £4.85m on a provisional damages basis, including over £2.5m to fund her lifetime care costs

**B v Newcastle upon Tyne NHS Foundation Trust (2023):** Extremely challenging claim involving failure to investigate and treat significant falls in blood pressure in diabetic woman with end-stage renal failure, allegedly leading to incomplete spinal cord injury after spinal stroke. David's meticulous analysis of the extensive expert evidence, focusing on breach of duty and material contribution, enabled him to negotiate a compromise of over £500,000

**S v South Tees Hospitals NHS Trust (2023):** Complex claim involving a delay in detecting swelling of the optic nerve in a young child, due to pancraniosynostosis, resulting in blindness and alleged brain damage. Breach of duty has been admitted, but causation remains under investigation

**C v Bolton NHS Foundation Trust (2022):** Obstetric negligence case, in which the disclosure of mobile phone video footage of the delivery proved that the timings in the hospital notes were inaccurate, and the midwife failed to recognise a shoulder dystocia, leading to acute hypoxia and quadriplegic cerebral palsy. Liability admitted after proceedings issued on basis of David's pleadings, enabling a substantial interim payment to fund the purchase and adaptation of a bungalow

**B v Dave (2022):** Delayed diagnosis of gout by GP, leading to Symes' amputation, but where evidence indicated amputation would shortly have been required in any event due to diabetic neuropathy. Settled for £225,000

**H v Dada (2021):** Spinal cord infarction leading to incomplete paraplegia as a result of a significant reduction in spinal blood flow during the course of surgery to her spine, where

it is alleged that the anaesthetist failed to monitor her blood pressure with sufficient frequency and failed to take steps before she suffered injury to her spinal cord. Settled for £1.625m despite breach of duty and causation remaining firmly disputed

**H v Rizvi, Garstang & Fernandes (2020):** Above-knee amputation suffered as a result of the admitted negligence of 3 GPs to refer the Claimant urgently to hospital. As a consequence of the delay, he developed septic shock, leading to the need for a life-saving amputation

**Hawkin v Mid Yorks Hospitals (2018):** Above-knee amputation, due to negligent delay in diagnosing critical limb ischaemia, resulting in a settlement of £1.7m in a case where the Claimant's life expectancy was reduced.

**C v The Walton Centre for Neurology & Neurosurgery NHS Trust (2018):** David negotiated a settlement worth £3.9m on a global basis on behalf of an elderly patient who suffered a haemorrhagic stroke due to a negligent delay in managing her meningioma, in order to enable her to return home to live with her family with a 24-hour care team

**H v Mid Yorks Hospitals (2018):** An award of £1.7m was negotiated on behalf of a man who required an above-knee amputation due to a negligent delay in diagnosing critical limb ischaemia, ensuring his prosthetic and other needs would be met throughout the remainder of his reduced life expectancy

**B v Abertawe Bro Morgannwg University Health Board (2018):** Settlement of over £400,000 achieved for negligent delay in diagnosing HIV infection, leading to advanced HIV disease

## Beyond the Bar

David is married with 4 children, 3 of whom have autism spectrum disorders. He was responsible for setting up a pro bono alliance between Exchange Chambers and the National Autistic Society to provide advice and representation in the field of special educational needs. This alliance has provided invaluable assistance to parents struggling to secure appropriate education to meet their children's needs. Away from work, he is a keen musician, singing in a choir and occasionally playing guitar and keyboards in a band. He enjoys cycling, and was a member of the Chambers' team which raised nearly £30,000 following a trans-Pennine charity ride.