

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

Personal Injury

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 is regularly instructed in claims of the utmost severity, and consistently achieves settlements totalling around £20m-£30m per year. His enormous experience, meticulous preparation, excellent client skills and pragmatic approach are highly-valued by clients.

His personal injury practice covers the following areas:

- brain injuries
- spinal cord injuries
- claims for loss of a limb
- other catastrophic injuries

Chambers & Partners ranks him as a Tier 1 Leading Silk, and describes him as “a 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.” Clients observe that “his skills in serious personal injury cases are second to none”, that he is “effortlessly knowledgeable in personal injury matters of the utmost severity and complexity” and that he is “my go-to silk for the most complex matters”.

Similarly ranked as a Tier 1 Leading Silk, the Legal 500 describes him as “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.”

He has a particular interest in difficult liability issues, such as failures to wear seatbelts or cycle helmets, pedestrian contributory negligence, claims brought by injured servicemen against the MOD and claims arising from aircraft accidents. Recent successes include an award of £3m for a glider pupil who suffered a spinal cord injury in a mismanaged launch, and the negotiation of substantial damages on behalf of a young woman who suffered incomplete paraplegia when she fell from a city-centre parapet wall after drinking. He also secured an award of over £8m for a boy who suffered catastrophic brain injury when he drowned whilst in the care of local authority foster carers.

An acknowledged expert on life expectancy issues and the application of the Ogden Tables, he has extensive experience of drafting complex Schedules of Loss in high-value claims, and invariably produces a spreadsheet indicating settlement parameters for any joint settlement meeting, providing the client with clear advice to enable them to make difficult decisions. His experience and proven track record in negotiations consistently leads to outstanding results.

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.

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

DGX v BCC (2023): In a rare example of a local authority being held liable in negligence in selecting and monitoring a foster placement, David secured an award of damages with a global value of £8.034m on behalf of a boy who suffered catastrophic brain damage as a result of a tragic drowning accident whilst in the care of local authority foster parents

S v MD Engineering (2023): David negotiated a settlement of £4.7m for a young electrical apprentice who suffered a severe traumatic brain injury when he was crushed beneath an electrical cabinet at work

R v H (2023): Damages of over £4m were obtained to meet the lifetime needs of a young man who suffered a severe brain injury and other orthopaedic injuries in a serious car accident, despite significant difficulties in engaging him in a programme of rehabilitation

M v Pryor Farms (2023): Damages of £3.98m, including funding for numerous prostheses, were secured on behalf of a young man who underwent a below-knee amputation following a devastating farm accident

M v Milligan (2023): Damages of £1.925m recovered for a motorcyclist who suffered a severe crushing injury to his foot, leading to a below-knee amputation. A skilled golfer and high-activity user, the award included provision for a Meridium prosthesis with a microprocessor ankle as his primary limb, together with a 2nd activity limb for golf and a water activity limb

M v British Airways (2023): An award of £1.17m was secured on behalf of an aircraft engineer who suffered a severe brain injury when he fell from staging during aircraft maintenance operations

H v York CC (2022): Above-knee amputation to motorcyclist with mild learning difficulties, after he struck a pothole, resulting in an award of £1.9m

W v York CC (2022): David secured damages of £1.5m for a refuse collector who suffered an above-knee amputation when accidentally run over by the bin lorry

G v T (2022): Moderate brain injury to child passenger in road traffic accident, where there was starkly conflicting expert evidence as to the extent of his future care needs and employment prospects

O'R v Glasham Gliding Society (2021): Damages of £3m awarded to a student who suffered a spinal cord injury resulting in T11 paraplegia when her instructor failed to take control of the glider following an aborted take-off

L v MIB (2021): Damages of £1.875m secured for severe brain and orthopaedic injuries

sustained by a pedestrian struck by a van in the 2017 London Bridge terrorist attack

C v British Steel (2021): Damages of over £1.63m were secured for a 63 year-old man who suffered an above-knee amputation when his leg was crushed by the gearbox and axle of a slag cart on which he was undertaking maintenance

King v MIB (2021): A net settlement of £1m was negotiated shortly prior to trial on behalf of a motorist who suffered a below-knee amputation in a high-speed collision, where liability was likely to be apportioned on a 50:50 basis

S v Jones (2020): £6.375m settlement negotiated on a provisional damages basis for a young man who suffered paraplegia as a result of a motorcycle accident, when his previous legal team had advised the claim was worth no more than £2.4m

K v Tradex (2020): Damages of £3.8m secured on behalf of a young man who suffered a severe brain injury in a car accident, in what is believed to be the first JSM conducted entirely remotely

W v Freightliner (2020): An award of nearly £3.2m was secured on behalf of a mechanical fitter who suffered a below-knee amputation after falling into an inspection pit

M v MOD (2020): An award totalling over £3.1m was secured on behalf of a Territorial Reserve officer who suffered a major depressive disorder when his inadequately-armoured vehicle was struck by an IED in Afghanistan

M v MOD (2020): An overall settlement worth over £2.15m was negotiated on behalf of a Royal Marine who suffered multiple orthopaedic injuries when his inadequately-armoured vehicle was struck by an IED in Afghanistan

M v Harper (2020): Damages of £1.9m recovered for a brain injury sustained by a child pedestrian struck by a car, where there was a significant dispute between experts as to the nature and severity of his injury

S v B (2020): David secured an award of over £1.2m for a pedestrian who suffered a severe brain injury when he stepped in front of a car whilst drunk, after a previous QC had advised that the claim had little prospect of success

MIB v Lewis (2019): Landmark ruling, in which the CA upheld a judgment that the MIB was directly liable under the EU Motor Insurance Directives for catastrophic spinal cord injuries caused by the use of an uninsured vehicle on private land. Although the injuries did not arise out of the use of the vehicle on a “road or other public place”, and hence fell outside the scope of the compulsory insurance requirements under Part VI of the Road Traffic Act 1988 and of the MIB’s liability under the Uninsured Drivers’ Agreement, the MIB was held liable under the Directives as an emanation of the state. Permission to appeal or to refer the case to the CJEU was refused by the Supreme Court

G v MOD (2019): A total settlement worth almost £4.2m was secured in respect of an above-knee amputation to a soldier whose inadequately-armoured vehicle was struck by an IED in Afghanistan, after the MOD was persuaded to abandon its combat immunity defence

W v S Evans & Sons Ltd (2019): Catastrophic injury claim, in which the Claimant suffered amputations of both hands in an industrial accident. A settlement of £2.1m was negotiated. Although the Claimant ultimately derived limited assistance from myoelectric prostheses, the settlement included the full purchase costs of a suitably-adapted bungalow, together with substantial carer support

N v Walker & EUI Ltd (2019): Severe brain and orthopaedic injuries to a young female passenger in an RTA. The Defendants sought a deduction for contributory negligence, arguing that she had encouraged the driver to drive dangerously. A settlement of £1.7m was negotiated, including a contingent claim for future care costs

M v MOD (2018): A claim for severe brain injuries suffered by a Navy pilot who fell from the deck of an aircraft carrier, in which David negotiated a total award valued at over £7.1m

A v Wood (2018): Settlement of £3.9m was negotiated on behalf of a motorcyclist who suffered severe brain and brachial plexus injuries in a collision with an oncoming car, despite evidence that he had failed correctly to fasten his helmet

S v E-On (2018): David negotiated a settlement of £2.75m on behalf of a young woman who underwent a below-elbow amputation as a result of suffering an electrocution at work

A v Patel (2018): Damages of £1.5m on a provisional basis obtained on behalf of a young man who was struck by a car which mounted the pavement, resulting in severe orthopaedic injuries to both legs, requiring extensive surgical reconstruction

Haines v Stobart (2018): Damages of £1.4m negotiated on behalf of an HGV driver who suffered a functional neurological symptom disorder, leading to significant disability, following a minor back injury when the step of his cab collapsed

MW v Hussain (2017): Catastrophic brain injury suffered by a blind member of the traveller community deliberately run down by a car, in which David's collaborative approach led to a settlement worth over £7.16m, including provision for a farmhouse with space for visitors' caravans