

# 12

King's Bench Walk

## David Sanderson

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### AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Inquests

David is a highly experienced senior junior who has specialised for over 25 years in personal injury and clinical negligence work. His practice principally involves claims for catastrophic injury and fatal accidents.

David receives instructions from most of the leading specialist PI solicitors and acts both for claimants and for insurers.

Both Legal 500 and Chambers & Partners recognise David as a “Leading Junior” and he has been included in their annual editions for over 10 years. He was nominated for Junior of the Year in Personal Injury/Clinical Negligence at the Chambers Bar Awards 2014.

David is married with one daughter. Away from the bar he is a keen cyclist and loves sea swimming, India and opera.

### Personal Injury

#### Liability

David has extensive experience of dealing with the complex factual and legal issues that frequently arise when seeking to establish liability and causation in PI claims. His practice involves road traffic, workplace and diverse public liability claims.

#### Quantum

David's practice involves the valuation of damages in catastrophic injury claims and grappling with the multifaceted disputes involved, covering in particular:

- Severe and subtle brain injuries
- Complete and incomplete spinal cord injury
- Polytrauma
- Upper and lower limb amputations
- Chronic pain and CRPS
- Psychiatric Injuries

### Clinical Negligence

David is an experienced clinical negligence specialist and recent instructions have included claims arising from Gynaecological Surgery, from General Surgery, from Orthopaedic Surgery, from Neonatal Care, from late diagnosis of Thyroid Cancer, from late diagnosis of Urethral Cancer, from late diagnosis of HELLP syndrome, from late diagnosis of Acute Liver Failure and from General Practice.

## Inquests

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David frequently represents interested parties at high profile inquests arising from accidents and clinical negligence. Examples from the past 12 months include acting for the family of Ying Tao (the 26 year old cyclist killed at Bank in July 2015), for the family of Alexia Walenkaki (the 5 year old girl killed on play equipment in Mile End Park), for the family of a 42 year old women who died following a liver transplant and for the Ambulance service where a patient being transported to hospital fell from her wheelchair.

## Memberships

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PIBA

PNBA

## Directories

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In the current edition of Chambers & Partner David is praised for being “very good at mathematics and the forensic side of the cases” and as “very good on the technical detail and excellent with calculations for accident reconstruction.”

In the 2015 edition Legal 500 he is described as  
‘A formidable advocate who frightens even experienced opponents’.

David has appeared in the directories for over 10 years and in previous editions has been described as “highly popular”; “incisive, charming and readily contactable”; “a client favourite due to his extreme user-friendliness, promptness and sharpness ... qualities which all contribute to the terrific results he achieves across an array of personal injury, clinical negligence and fatal accident claims”; a “fantastic all-rounder” who is “articulate and robust in court,” bringing a “great sense of authority” to bear; who has won praise for his “excellent client-handling, swift responses and specialist knowledge of his subject”; for his “excellent grasp of personal injury matters” and for his “command of quantum issues.”

## Cases

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*Bennett v Southwell* [2013] EWHC 2382 (Griffiths Williams J) –  
Liability in a road traffic accident involving disputed expert evidence.

*Simmons v Castle* [2012] PIQR P22 CA –  
An appeal involving the Claimant’s entitlement to provisional damages in which the Court of Appeal set the 10% increase in all future awards for pain, suffering and loss of amenity.

*Tavares v Hudson-Rotin* [2012] (Globe J) –  
Liability in a road traffic accident involving disputed expert evidence.

*Smithurst v Sealant Construction* [2011] EWCA Civ 1277 –  
An appeal involving causation of future losses following a cauda equina.

*Micklewright v Surrey County Council* [2011] EWCA Civ 922 –  
An appeal involving a fatal accident caused by a branch falling from a tree that overhung the highway.

*Richardson v Butcher* [2010] EWHC 214 (Burnett J) –  
Liability in a road traffic accident involving disputed expert evidence.

*R v Lane* [2009] EWCA Crim 1630 –  
Conviction for causing death by dangerous driving quashed on appeal.

*Wade v Turffrey* [2007] LS Law Medical 352 –  
Interim payment principles in catastrophic claims.

*Palmese v Reboul* [2007] EWHC (McCombe J) –  
Causation and quantum arising from brain injury.

*Denton Hall v Fifield* [2006] Lloyd's Rep Med 251 –  
An appeal on liability for work related upper limb disorder and upon the use of medical records.

*Ellis v Royal Surrey County Hospital* [2004] EWHC 3510 –  
A claim for birth injury (Erb's Palsy).

*Morris v Richards* [2004] PIQR Q3 –  
An appeal raising issues of causation, remoteness and mitigation in the context of a claim for loss of earnings.

*Pearce v Lindfield & others* [2003] EWCA Civ 647 –  
An appeal raising issues of causation and material contribution after a claimant suffered 3 successive whiplash injuries in separate road traffic accidents.

*Simonds v Isle of Wight Council* [2003] EWHC 2303 (Gross J) –  
An appeal against a finding of liability against a primary school following an accident on swings.

*Arneson v Heffey* [2002] EWCA Civ 1058 –  
An appeal in a road traffic accident where trial judge had failed to analyse the evidence.