12
King's Bench Walk

Dr. David Sharpe KC



Call: 1999
Silk: 2020

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AREAS OF EXPERTISE

Sport, Clinical Negligence, Personal Injury, Industrial Disease, Professional Negligence, International & Travel, Product Liability, Inquests, Property, Property Damage, Construction, Mediation, Arbitration, Other

JUDICAL APPOINTMENTS

Legal Chair Valuation Tribunal: 2008 to present

Dr David Sharpe KC specialises in sport, clinical negligence, professional negligence, serious personal injury, construction, inquests & inquiries and property law. David practices within all areas of England & Wales and works for claimants and defendants.

He practiced as a doctor to Consultant level in Emergency Medicine (and is a Fellow of both the Royal College of Surgeons and Royal College of Physicians) prior to qualifying as a Barrister and retains an exceptional knowledge of scientific, medical and technical matters relevant to his current legal practice.

David is also admitted to the Inner Bar in a number of other jurisdictions, has developed expertise of jurisdictional issues and has built a strong international aspect to his practice. He regularly receives instructions from overseas.

He has fully embraced ADR and is a qualified arbitrator and mediator. As such he is equally happy to act either as arbitrator/mediator or as counsel in such proceedings.

Sport

With a unique blend of expertise in medicine and law, Dr David Sharpe KC is a distinguished barrister who has established an exceptional career in sports law. His extensive experience and knowledge in the medical field, coupled with an impressive array of sports-related roles and accomplishments, sets him apart as a leading authority in the field.

Professional Background

- 1990 qualified as a medical doctor.
- 1990-1999 practised medicine progressing to Consultant level in Emergency Medicine and Sports Medicine.
- 2002 achieved the prestigious title of Fellow of the Faculty of Sports & Exercise Medicine (FFSEM). Also admitted as a Fellow of the Royal College of Physicians (FRCP) and the Royal College of Surgeons (FRCS).
- 2004 Accredited Mediator
- 2016 Fellow of the Chartered Institute of Arbitrators

David specialises in handling serious sports injury (including clinical negligence), concussion cases, and anti-doping matters, relying upon his medical knowledge to provide unparalleled insights and representation.

Legal Expertise

David's experience as counsel has grown rapidly over recent years and counsel is able to assist with a wide range of sports law, including but not limited to:

- Football Transfers
- Arbitrations
- Mediations
- Regulatory Matters
- Contractual disputes
- Athlete Selection
- Personal Injury and Clinical Negligence
- Challenging Regulatory Bodies (including public law aspects)
- Anti-Doping Cases
- E-Sports

David has conducted cases at first instance and appellate level in the following sports:- football, rugby, boxing, equestrian, cycling, athletics, triathlon/ironman, judo, golf, ice-hockey, swimming, para-sports, sailing, floorball, Aussie-rules football, and angling.

Chambers are members of Law in Sport, as is David and he often speaks at events as he is linked with many other organisations as their go to counsel. David is a member of the following organisations.

- Sports Resolution UK Panel of Arbitrators and Mediators
- UK Anti-Doping Panel
- Sports Disputes Solutions Ireland Panel of Arbitrators
- Board of Appeal for Classification and Anti-Doping Panel of the International Paralympic Committee (IPC)
- Judicial Board of World Sailing
- Chair of Player Status Committee of IFA (Irish Football Association)
- Panel member of World Athletics Disciplinary and Appeals Tribunal
- Chairman of the International Bar Association (IBA) Sports Law Subdivision
- Court of Arbitrators for the Commonwealth Games in 2022

If you would like to discuss David's sports law experience or potential instructions, please feel free to call the sports law clerks – George Boggis or Robert Palumbo – to discuss this further.

Clinical Negligence

David is a specialist clinical negligence practitioner. As a former Emergency Medicine doctor he has a complete understanding of medical practice and what goes wrong. He acts for both Claimants and Defendants (Trusts, NHSLA, MPS/MDU, MOD, and Private Hospitals/Consultants) in all aspects of clinical negligence and in particular high value cases and those which are difficult and/or complex in terms of liability and causation.

He has particular expertise in trial advocacy engaging with medical expert witnesses. His recent cases involve cerebral palsy, obstetric injuries, causa equina injury, missed spinal abcess, failure to recognise sepsis, delayed diagnosis of cancer, surgical complications, and stroke caused by a retained IVC filter.

International & Travel

David regularly deals with foreign jurisdictional issues. He is admitted as a Silk in Northern Ireland, the Republic of Ireland (where he is a Senior Counsel 'SC') and the Caribbean (BVI, St Vincent and St Lucia) , and is regularly instructed to advise on jurisdiction and foreign law. He is also able to receive instructions to advise and appear as Counsel in those jurisdictions

In addition David acts as Counsel and Arbitrator in international arbitrations. He also advises on claims arising out of accidents abroad, including those brought under the Package Travel Regulations, maritime cases and clinical negligence occurring overseas..

David also provides advice on English law for foreign lawyers and has assisted lawyers with cases in common law jurisdictions.

Professional Negligence

David has extensive expertise and experience of bringing and defending claims involving a wide range of professional and other specialist advisers, including actuaries, legal practitioners, the insurance sector, the financial sector (bankers, stock brokers, investment advisers), the construction industry (architects, engineers, surveyors, builders, project managers), valuers, veterinary surgeons, energy and natural resources, accountants, and auditors.

Personal Injury

David has vast experience in all areas of personal injury law, including road traffic, employers' liability, public liability, occupiers' liability, sports injuries, sexual abuse and other intentional torts. As a former doctor he has a comprehensive appreciation of the effect of trauma and has developed a practice focusing upon serious injuries such as brain and spinal damage.

Construction

David is experienced in construction and engineering disputes. He holds a Masters in Construction law, is an accredited Adjudicator and is a member of TECBAR and the Society of Construction Law. He is familiar with a wide range of contract types, including the various JCT and NEC forms, the RIBA standard forms of appointment, as well as bespoke construction contracts and PFI/PPP. David regularly undertakes resolution of construction disputes by litigation, arbitration, adjudication, and mediation.

Inquests & Inquiries

An authority on coronial law and practice regularly instructed to advise and appear at Inquests. He has experience of Article 2 and jury inquests. He has represented families, insurance companies, hospitals, doctors, medical defence organisations, pharmaceutical companies and state bodies such as the Police, MOD, and Prison Service.

David specialises in hospital death Inquests where his medical training and experience are invaluable. He has acted throughout two important public inquiries in key roles and lesser roles in other inquiries. He also has experience of Judicial Review proceedings related to Inquests, Coronial law and Public Inquiries.

Industrial Disease

David has considerable experience of advising and advocacy in relation to both liability and quantum in industrial disease claims, particularly in the context of noise induced hearing loss, HAVS, mesothelioma and other asbestos-related diseases.

He brings together a medical knowledge of the disease and a thorough understanding of the legal issues including causation issues and limitation.

Property

David has considerable experience in all areas of property law including boundary disputes, landlord and tenant, adverse possession, easements, business tenancies and property damage ranging from multi-million pound commercial premises to client's homes.

David is an author for Lexis PSL on Property Law Issues providing regular articles and advice.

Arbitration

(A) Arbitration – David is a qualified Arbitrator (FCIArb) and undertakes Arbitration work both as Counsel and Arbitrator. He has experience of domestic arbitration (Arbitration Act) and International Arbitration (LCIA, UNCITRAL, ICC and Ad hoc). He is a member of several arbitral panels.

Mediation

David has been an accredited mediator since 2004 and has undertaken mediations in a variety of legal practice areas including sport, clinical negligence, property, public law, personal injury and commercial law. He also has experience of representing clients at mediation and in the enforcement of mediation agreements.

Product Liability

David has expertise in this practice area encompassing tortious and contractual, commercial and personal injury, claims involving defective products, regulatory proceedings and advising compliance with relevant consumer protection legislation.

Recent cases include pharmaceuticals, medical devices, bicycles and household appliances.

Qualifications & Awards

Admitted to the Bars of England & Wales (Inner Temple), Northern Ireland, Republic of Ireland, British Virgin Islands, St Vincent & The Grenadines, and St Lucia

Bachelor of Medicine, Bachelor of Surgery, Bachelor of Obstetrics (Distinction) Queen's University of Belfast 1990

DPH (University of Cambridge) 1995

Bachelor of Legal Science (Hons) (QUB) 1998

Certificate in Professional Legal Studies 1999

Fellowship of the Royal College of Surgeons (FRCS) 2000

Accredited Mediator 2004

Member Faculty of Forensic & Legal Medicine 2006

Direct Access Training Course 2014

Masters in Construction Law, UWE Bristol 2018

Fellowship of the Chartered Institute of Arbitrators (FCIArb) 2017

Fellowship of the Royal College of Physicians (FRCP) 2018

Fellowship of the Hong Kong Institute of Arbitrators (FHKIArb) 2020 and Singapore Institute of Arbitrarors (FSIArb) 2021

Appointments & Memberships

Legal Assessor MPTS 2009 to 2018

Legal Assessor NMC 2011 to 2018

Arbitration, mediation and pro-bono panels of Sports Resolutions, 2018 plus

Legal member of the Judicial Board of World Sailing, 2021

Legal member of the Board of Appeal of the International Paralympic Committee 2020

Vice Chair of the IBA Sports Law Division. 2022

Attorney General's Panel of Counsel – Panel A & Senior Panel 2012 plus

Non-Executive Director HTA 2005-09

Professional Negligence Bar Association

Personal Injury Bar Association

Chartered Institute of Arbitrators

London Common Law & Commercial Bar Association

British Irish Commercial Bar Association

TECBAR

Society of Construction Law

Publications

Expert Psychiatric Evidence, 2nd Ed, Cambridge University Press (Editor and Contributor)

Psychiatric Harm and the Boundaries of Primary Victimhood, Sharpe, D and Kelly, G. Medico-Legal Journal of Ireland (2018) 24(1).

Regular articles on Property Law Lexis PSL

Lawyer Monthly – Article on ADR December 2015

Directories

…Counsel have in-depth knowledge and a high level of expertise. – Legal 500, 2017

…The set of choice for personal injury matters including travel litigation, which is an area that chambers is constantly strengthening – Legal 500, 2017

…Second-to-none strength in depth and a broad church of barristers, all of whom are fiercely intelligent. – Legal 500, 2015

…A wealth of talent at both senior and junior levels acting for both claimants and defendants. – Chambers & Partners, 2015