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King's Bench Walk

David White



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AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Industrial Disease, Professional Negligence, International & Travel, Insurance, Product Liability, Costs & Litigation Funding, Fraud, Inquests, Public Authority Liability, Accidents at Sea/Maritime Claims, Military Claims

David's principal areas of practice are personal injury, clinical negligence, insurance/indemnity disputes and costs law. David has been listed as a leading junior in Personal Injury work in Chambers & Partners and the Legal 500 for many years. David acts for claimants and defendants and is regularly instructed to represent clients both at court and at Joint Settlement Meetings. David is known as a "robust but realistic" advocate and negotiator, with a keen eye for detail and excellent client care skills. David acts led or unled in high value cases, as appropriate.

In the Personal Injury field David is regularly instructed in RTA, EL, PL, product liability and holiday claims. David has particular expertise in serious injury cases including amputation, traumatic brain injury, pain conditions (including CRPS and FND) and spinal injury. In his disease practice David has particular experience and expertise in asbestos cases.

In his clinical negligence practice, David acts principally for claimants. He regularly advises in cases involving complex medical issues, particularly concerning causation.

David also has an extensive costs practice, and regularly acts for paying and receiving parties in detailed assessments in the SCCO and the County Courts, often concerning substantial seven figure bills. He has been instructed in disputes concerning the enforceability of Conditional Fee Agreements and the recovery of ATE insurance premiums.

In the insurance and indemnity field, David advises insurers and policy-holders on policy disputes concerning policy wording and coverage and indemnity issues, and advises in solicitors negligence cases.

David has expertise in cross-border PI claims and is regularly instructed in cases that raise issues as to jurisdiction and applicable law (Rome II) and he is used to working with foreign law experts in such claims.

David regularly lectures and presents seminars to solicitors and insurers. He has recently lectured on recent developments in EL claims, loss of earnings claims for the self-employed, costs claims and Part 36 developments. David sits on the Editorial Board of *Kemp & Kemp: Law Practice and Procedure*, and he edits the chapters on Provisional Damages, Interim Payments and MIB Claims.

Personal Injury

David acts for Claimants and Defendants in serious injury cases, including traumatic brain injury, spinal injury, pain conditions (including Functional Neurological Disorder and Complex Regional Pain Syndrome) and amputation. David is regularly instructed in seven-figure cases, both led and unled, as appropriate.

David's cases usually involve complex medical evidence where there are issues as to causation and prognosis, and where quantification of the claim is complex and nuanced.

In the field of **spinal injury** David has recently been instructed for a paraplegic client (motor and sensory complete at T12) whose case concluded at a JSM. David was led by a KC. The Schedule of Loss was c. £5m which included substantial claims for live-in care, exoskeletons and adapted accommodation.

In the field of **traumatic brain injury**, David is instructed in cases concerning adults and children. David has particular expertise in cases where the residual cognitive deficit from the brain injury is subtle, but where the implications for future work prospects are potentially of great significance because of the intellectual demands of the job in question.

In the field of **chronic pain**, David acts for Claimant and Defendant clients in a wealth of different and challenging cases in which an ostensibly straightforward injury has morphed into a condition that is disabling and disproportionate to the initial injury, including cases concerning complex regional pain syndromes (CRPS), functional neurological symptoms disorders (FND), and other conditions that are believed to be psychiatrically-driven. David is familiar with the leading experts in this niche field and with the complex medical issues on causation and prognosis that arise.

In the field of **amputation**, David has been instructed in cases concerning both lower limb and upper limbs. David is presently instructed in cases concerning above and below knee amputations, below elbow amputation, a forefoot amputation and fingertip amputations.

David is familiar with the leading experts in the above fields, and can provide appropriate advice as to choice of experts.

David has a particular interest in quantum issues, for example, cases concerning how a continuing disability should impact on assessment of future loss (Ogden 8 arguments). David represented the Defendant in the leading case of Conner v Bradman [2007] EWHC 2789 (QB). Separately, David regularly engages with disputes arising from high value care and case management regimes in maximum severity spinal cord and brain injury cases.

David frequently advises in cases involving complex loss of earnings claims. For example, non-domiciled workers where there are issues as to whether Income Tax would have been paid on their earnings (and if so, where), and self-employed claimants with variable/erratic earnings and those working in unusual/niche areas, such as actors, performers, professional athletes and sports players.

David has developed a particular expertise in advising (claimants and defendants) in cases brought by theatrical and film performers (actors and dancers typically) arising from serious injury suffered on the stage or on location during the making of films, adverts, and TV dramas, for example, where a special effect or pyrotechnic effect has gone wrong, or where scenery or props have fallen. These cases can raise complex technical issues in respect of liability, appropriate insurer, and quantification of lost earnings where the performer's earnings are often highly variable.

David has expertise in fatal accident claims and is regularly instructed in claims where there are substantial loss of dependency claims, and where the family situation is complex, for example, where there are dependent children from multiple relationships. David is currently advising in a case where a mother and adult brother are claiming to be dependants of the deceased.

Recent concluded cases include the following:-

H v S

David acted for the Claimant, led by a KC. C suffered paraplegia (motor and sensory complete at T12) as a result of a section of tree falling on him during a tree felling operation. C had no recollection of how the accident occurred and liability was disputed. Quantum was complex and David drafted the Schedule of Loss. The case settled for a substantial sum at a JSM, the settlement reflecting risk on liability and quantum issues.

H v Q

A catastrophic injury case where the claimant suffered somatoform pain disorder or conversion disorder as a result of an accident on a building site. David advised throughout on the complexities arising from the multi-disciplinary medical evidence and assessment of quantum. David was unled until the final stages of the litigation. The final Schedule of Loss totalled £2.5m, and settled at a second Joint Settlement Meeting for a substantial seven figure sum, the discount reflecting uncertainty as to future prognosis.

O v G

David acted for a defendant in this below- knee amputation case. The quantum issues were complicated by the fact that the claimant was living and working in the UK illegally, which raised issues as to *ex turpi* causa and where her future would be spent.

B v L

David acted for a claimant in this catastrophic brain injury case. The claimant suffered a severe Traumatic Brain Injury as a result of a road accident and was left highly dependent on carers and requiring 24/7 care. The main issues were the appropriate care regime (residential home versus supported independent living in his own home with adaptations), case management and the extent of therapies. The case settled for a substantial seven figure sum.

Clinical Negligence

David acts mainly for Claimants in this field.

David is instructed in standalone clin neg claims, but also in cases where a clinical negligence claim is added onto a PI claim because of intervening negligent medical treatment.

Recent cases include the following:-

JS v Guy's and St Thomas's Foundation Trust

David was instructed on behalf of the claimant in this high value cauda equina syndrome (CES) case. The claimant underwent an underwent an extreme lateral body interfusion (XLIF) and during the first stage operation the spinal fusion cage was mal-positioned, and this was not remedied when it should have been. In consequence the claimant suffered permanent neurological injury with cauda equina and nerve root damage (ASIA A) at L2 level. The claimant was a wheelchair user and doubly incontinent in consequence. Breach of duty and causation were eventually admitted, and the case came to a Joint Settlement Meeting where the principal battlegrounds were the future accommodation, care and physiotherapy claims. The claimant's case was that she needed hoisting, and that she needed double-up day and night care. The case settled at the JSM for a substantial seven figure sum.

M v Wye Valley NHS Trust

David represented the claimant in this complex clinical negligence case. The claimant suffered a catastrophic stroke at Hospital, as a result of which he was rendered blind and suffered brain damage. Breach of duty was admitted but causation was very much in issue, the issue being whether early intervention by a neurologist would have prevented the stroke or reduced the effects of the same. There was also substantial disagreement relating to the future care and accommodation claims. The Defendant instructed a KC from the outlet. David was unled until the very final stages of the litigation when he was led by Gerard Martin KC. The Schedule totalled £2.9 million. A substantial settlement was achieved at a JSM.

David is presently advising claimants in cases involving negligent performance of cosmetic surgery procedures, poor surgical technique in a hysterectomy, and unnecessary spinal surgery.

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Industrial Disease

David acts for Claimants and Defendants in disease cases, in particular cases concerning asbestos-related disease, stress at work and HAVS.

David is presently instructed in several large mesothelioma cases.

David has recent experience of the sensitive task of taking evidence by deposition at a claimant's home in a living mesothelioma case.

In terms of non-asbestos disease work, David is presently acting for a defendant in a case concerning a groundworker who contracted a rare respiratory condition as a result of exposure to hydrocarbons in the soil at a former petroleum site, and is also instructed in cases concerning occupational asthma and dermatitis.

Professional Negligence

David is regularly instructed by Claimants and professional indemnity insurers in cases concerning alleged negligence of solicitors and/or barristers in the conduct of serious personal injury claims. These cases typically concern a lost opportunity to present a claim or to achieve a better outcome at Trial or settlement.

David has also acted for a claimant against his former solicitors in a case concerning negligent conduct of a claim for a lease extension pursuant to the Leasehold Reform Act 1993.

International & Travel

David is a founder member of the 12KBW International Practice Group. David is regularly instructed to act on behalf of Claimants and Defendants in cases that raise issues concerning jurisdiction and/or applicable law.

Recent cases include the following:-

FDA v RS Reinforcements Limited

David was instructed to act as associate counsel alongside the Jersey Advocate in this 5 day liability trial in Jersey before the Deputy Bailiff sitting with Jurats. The claim arose from a fall from height on a construction site when a working platform collapsed. The Claimant suffered life-changing injuries in consequence. Liability was established against the employer for breach of the non-delegable duty of care and the court proceeded to apportion liability between the employer and the contractor responsible for the defective working platform.

L v W

David acted for a claimant who suffered spinal injury as a result of an accident on a Spanish waterslide. Issues of liability and quantum were both governed by Spanish law and there was an issue as to the applicability of Spanish interest provisions in the English courts.

Halfpenny v Virgin Holidays

David recently successfully represented the tour operator at trial and defeated a claim for improper performance of the contract pursuant to the Package Travel Regs, the claim arising from a holidaymaker who fell down steps in what was alleged to be a poorly-lit area in a Caribbean resort.

Prow v ES Global

David acted for the family of the lighting technician who was killed as a result of the collapse of a concert stage at a

Madonna concert in France. The case raised issues of jurisdiction and applicable law.

Neville v NDS

David represented the Claimant in this case that arose from injury sustained whilst the Claimant was on a "Treasure Hunt by RIB" trip in the Solent, the trip having been organised by his employer as a reward to the staff. The Claimant suffered spinal injury in the course of the trip and the physical injury developed into a psychologically-driven chronic pain state. Liability of the RIB operator was governed by the Athens Convention, and the case was litigated in the Admiralty Division of the High Court. The case required expert liability evidence from experts on weather, sea state, tides and powerboating. The claim against the employer raised interesting issues as to the extent of an employer's duty in respect of delegated activities. David secured a substantial settlement for his client at a 3-way JSM.

Insurance/Indemnity

David acts for and advises insurers and policyholders in this area of practice, usually in the fields of motor insurance, EL insurance and private health insurance.

David also advises insurers and policyholders on coverage issues arising from fire and casualty claims. For example, David recently advised in a fire loss claim where it was alleged that the claimant had deliberately started the fire.

Product Liability

David has acted for claimants and defendants in several cases in this field. By way of example, recent cases relating to defective car repairs, defective footwear, and defective catering equipment.

Costs & Litigation Funding

In addition to regularly attending Costs and Case Management Hearings (CCMCs) in the High Court and County Courts, David is regularly instructed to advise and represent parties in detailed assessments arising from concluded cases.

David has extensive experience of arguing costs points before Costs Judges in the SCCO and at County Court level.

David regularly acts for defendants challenging substantial six or seven figure costs bills and taking any appropriate technical points.

Fraud/Fundamental Dishonesty within the meaning of s57 CJCA 2015

David is instructed by Claimants and Defendants in cases where there are concerns regarding exaggeration or fraud and where close analysis of the entirety of the evidence and (if the case proceeds to Trial) careful and detailed cross-examination is required. David has recently been instructed in two cases concerning alleged "slam-on" road traffic accidents where the cases went to Trial.

David regularly advises claimants and defendants on the merits of allegations of fundamental dishonesty on the facts of the particular case.

Chronic Pain and Functional Neurological Disorder

These cases are highly bespoke. David had advised claimants and defendants in cases where a claimant has developed a pain condition, whether that be CRPS, neuropathic pain, or a psychiatrically-mediated pain condition such as Functional Neurological Disorder (FND), Conversion Disorder or Somatoform Disorder. David has advised in such cases as personal injury claims and in the clinical negligence context. David is familiar with the leading experts in the field.

Inquests

David regularly represents families and insurers at Inquests. David has attended Inquests arising from deaths in Hospital, RTAs, workplace accidents (typically on construction sites), disease cases (e.g. asbestos) and a plane crash.

David was recently instructed to represent a leading travel firm at an inquest arising from the death of one of their clients in an off-road car accident in Namibia. The case was notable for the complexity of the expert evidence concerning the causes of the vehicle overturning.

Public Authority Liability

Within his personal injury practice, David acts for Claimants and Defendants in cases where the Defendant is a public authority and the claim arises from the exercise of public authority functions. David's expertise includes highways claims, and claims by care assistants, social workers, teachers, NHS staff and nursery workers.

Accidents at Sea/Maritime Claims

David has a niche expertise in claims arising from accidents at sea, whether liability is governed by the Athens Convention or by other liability regimes. David recently presented to the APIL International Injuries Conference on this topic with a yachting expert and David is a member of the Admiralty Bar Group.

A recent example of such work, is *Neville v NDS/Howley*, a case that arose from injury sustained whilst the Claimant was on a "Treasure Hunt by RIB" trip in the Solent, the trip having been organised by his employer as a reward to the staff. The Claimant suffered spinal injury in the course of the trip and the physical injury developed into a psychologically-driven chronic pain state. This being an accident at sea, liability of the RIB operator was governed by the Athens Convention, and the case was litigated in the Admiralty Court. The case required expert liability evidence from experts on weather, sea state, tides and powerboating. The claim against the employer raised interesting issues as to the extent of an employer's duty in respect of delegated activities. David secured a substantial settlement for his client at a 3-way JSM.

David was recently instructed on behalf of claiming parties in a limitation action arising from an explosion of a motorboat on the Thames. The case is litigating in the Admiralty Court and limitation is governed by the London Convention.

Military Claims

David has a particular expertise in military PI claims and regularly acts for members of the Armed Forces. He has a particular expertise in claims arising from Non-Freezing Cold Injury (NFCI), and claims for psychiatric injury. David is familiar with the complexities of the military loss of earnings/loss of military pension claims.

David recently acted for a soldier who suffered psychiatric injury as a result of poor conditions and bullying during his basic training. The case was complex both in terms of causation (in that there was a potential clinical negligence claim arising from the claimant's hospital treatment) and quantification of damages given that the claimant's military career was at such an early stage. The case settled at a JSM.

Qualifications & Awards

Bar Vocational Course, "Very Competent" (ICSL, 1999)

CPE Diploma on Law (City University; 1998)

M.Stud. History of Art (Lincoln College, Oxford; 1997)

MA, English (Jesus College, Cambridge; 1996)

Major Scholar, Lincolns Inn (1998)

Hardwicke Entrance Award, Lincolns Inn (1997)

Memberships

PIBA, PNBA, London Bar Association, PEOPIL

Directories

He is very on the ball and knowledgeable on brain injury matters. He does great preparation for conferences with clients and has a good eye for details. – Chambers & Partners, 2026

He has always given reliable advice and recommendations. He is excellent at court and with the clients. – Chambers & Partners, 2026

David navigates his way around complex claims with ease. David delivers clear advice and is a great strategist. – Chambers & Partners, 2026

David is listed as a Leading Junior in the field of Personal Injury in the Legal 500

He is an excellent advocate who is very well prepared and delightful. – Chambers & Partners 2025

He has good client relationship skills and puts the client at ease. – Chambers & Partners 2025

Good attention to detail, has a calm demeanour and develops a good relationship with the client from an early stage. Shows empathy. – Legal 500, 2025

David is a superb advocate. He approaches every problem comprehensively and gives considered advice. – Legal 500, 2024

David White is highly organised, providing timescales that he will meet to complete work to a high standard, being aware of the commerciality of any situation and offering persuasive advocacy. – Chambers & Partners 2024

He is very user-friendly, highly experienced, pragmatic and proficient. – Chambers & Partners 2024

David is excellent with clients and approaches cases with surgical precision. He is terrific on his feet. – Chambers & Partners 2024

David is a calm and measured barrister with a supreme understanding and feel for the law. – Legal 500, 2023

An excellent barrister with a superb eye for detail. He is able to empathise with clients whilst anticipating the hurdles to be overcome. – Chambers & Partners, 2022

He is particularly hot on costs issues, and is fast building a reputation in this technical area. – Legal 500, 2022

He is fantastic and is able to provide sensible and pragmatic advice. He goes out of his way to assist his clients. – Chambers & Partners, 2021

He is always well prepared and has a great eye for detail, particularly when dealing with complicated liability and medical issues. – Chambers & Partners, 2021

He is thorough, calm and easy to talk to. – Chambers & Partners, 2021

Has an eye for details and a questioning, analytical mind. – Legal 500, 2021

He has an eye for detail providing clear but balanced advice supported by strong assessment of the evidence. – Legal 500, 2019

He is a no-nonsense, proactive barrister – efficient, conscientious and clear. – Legal 500, 2018

A standout barrister in the personal injury field. – Legal 500, 2017

Highly competent and reliable. – Legal 500, 2016

His extremely loyal solicitors trust him to prepare a case with utmost thoroughness. – Legal 500, 2015

Publications

Contributory Editor and member of the Editorial Board, *Kemp and Kemp Law Practice and Procedure*

Cases

Personal Injury

Conner v Bradman [2007] EWHC 2789 (QB)

The first reported case on the application of the Ogden tables for contingencies other than mortality to multipliers for future loss of earnings. The Court arrived at the compromise position of splitting the Table A and B adjustments on the particular facts of the case. David represented the Defendant in this leading case.

H v Q

A catastrophic injury case where the claimant suffered **somatoform pain disorder** or conversion disorder as a result of an accident on a building site. David advised throughout on the complexities arising from the multi-disciplinary medical evidence and assessment of quantum. David was unled until the final stages of the litigation, when he was led by Frank Burton QC. The final Schedule of Loss totalled £2.5m, and settled at a second Joint Settlement Meeting for a substantial seven figure sum, the discount reflecting uncertainty as to future prognosis.

O v G

David acted for a claimant in this **below- knee amputation case**. The quantum issues were complicated by the fact that the claimant was living and working in the UK illegally, which raised issues as to *ex turpi* causa and where her future would be spent.

B v L

David acted for a claimant in this **catastrophic brain injury case**. The claimant suffered a severe Traumatic Brain Injury as a result of a road accident and was left highly dependent on carers and requiring 24/7 care. The main issues were the appropriate care regime (residential home versus supported independent living in his own home with adaptations), case management and the extent of therapies. David was led by Frank Burton QC and the case settled for £4.25 million.

Insurance/Indemnity

David recently concluded a case at a JSM where the issue was the application of s151(8) of the Road Traffic Act 1988 in the light of the Court of Appeal decision in Churchill v Wilkinson, namely whether a claimant passenger who suffered

injury as a result of the negligence of someone whom she had permitted to drive her vehicle should have a deduction from her damages for contributory fault, and, if so, the extent of the deduction.

Fatal Accidents

AB (PERSONAL REPRESENTATIVE OF THE LATE GH) v KL [2019] EWHC 611 (QB)

David acted throughout for the Defendant in this interesting fatal accident case that concluded at a Trial before David Edwards QC sitting as a High Court Judge. The case considered claims by the deceased's children for future financial contributions that it was said that the deceased would have made to the cost of their weddings and the cost of a first property in the future, and claims for the value of DIY services that would have been provided, even though the children did not own any property at the time of death.

Clinical Negligence

M v Wye Valley NHS Trust

David represented the claimant in this complex clinical negligence case. The claimant suffered a catastrophic stroke at Hospital, as a result of which he was rendered blind and suffered brain damage. Breach of duty was admitted but causation was very much in issue, the issue being whether early intervention by a neurologist would have prevented the stroke or reduced the effects of the same. There was also substantial disagreement relating to the future care and accommodation claims. The Defendant instructed a QC from the outlet. David was unled until the very final stages of the litigation when he was led by Gerard Martin QC. The Schedule totalled £2.9 million. A substantial settlement was achieved at a JSM.

Travel/International

Halfpenny v Virgin Holidays

David recently successfully represented the tour operator at trial and defeated a claim for improper performance of the contract pursuant to the Package Travel Regs, the claim arising from a holidaymaker who fell down steps in what was alleged to be a poorly-lit area in a Caribbean resort.

Prow v ES Global

David acted for the family of the lighting technician who was killed as a result of the collapse of a concert stage at a Madonna concert in France. The case raised issues of jurisdiction and applicable law. The case settled by consent.

David is presently instructed in a high value Jersey case and is working with English solicitors and Jersey Advocates on the liability and quantum aspects of the case.

Accidents at Sea

Neville v NDS

David represented the Claimant in this case that arose from injury sustained whilst the Claimant was on a "Treasure Hunt by RIB" trip in the Solent, the trip having been organised by his employer as a reward to the staff. The Claimant suffered spinal injury in the course of the trip and the physical injury developed into a psychologically-driven chronic pain state. This being an accident at sea, liability of the RIB operator was governed by the Athens Convention, and the case was litigated in the Admiralty Division of the High Court. The case required expert liability evidence from experts on weather, sea state, tides and powerboating. The claim against the employer raised interesting issues as to the extent of an employer's duty in respect of delegated activities. David secured a substantial settlement for his client at a 3-way JSM.