

Daniel Paul

1998 Middle Temple

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Education

Royal Academy of Music, London
Open University
Manchester Metropolitan University
Inns of Court School of Law, London

Professional Associations

Personal Injuries Bar Association

Areas of Specialism

Personal injuries

Clinical negligence

Inquests

Profile

Daniel specialises in personal injury, clinical negligence and related areas of law. He represents both Claimants and Defendants. He is instructed in cases concerning such matters as:

Allegations of negligence in respect of surgeons, GPs, dentists and opticians.

Issues arising from the care and treatment of mentally ill patients.

Fatalities in care homes.

Employers liability.

Public liability.

Road traffic accidents.

Daniel deals with claims relating to serious and catastrophic injuries, fatal accidents and claims involving complex medical and other expert evidence. He has considerable experience of inquests, including Article 2 inquests, which frequently require extensive lay and expert evidence from a wide range of professional disciplines.

Notable Cases

Employers Liability

LL v SB Ltd

Trial on liability before HHJ Davey QC, Bradford County Court. Judgment handed down June 2019.

The Claimant sustained trauma to her right eye when operating an inspection hoist during the course of her employment with the Defendant. She was raising the hoist to inspect a Venetian blind when a plastic toggle at the end of a cord attached to the blind became stuck under the frame of the hoist. As the hoist was raised the tension in the cord caused the toggle to become dislodged and fly up at speed hitting the Claimant in the eye.

The Claimant relied on breach of various statutory regulations as evidence of negligence.

The Defendant denied liability on the basis that it had provided suitable and sufficient training, instruction, risk assessments and method statements. It denied that the accident was foreseeable. It challenged the Claimant's credibility on the grounds that the mechanism of the accident was implausible and on basis of post-accident social media posts.

The judge found the Claimant to be a truthful witness and accepted her account of the accident. He held the Defendant liable as alleged and gave judgment for the Claimant.

Inquest

INQUEST TOUCHING UPON THE DEATH OF SL

The Deceased had attended an unofficial "car meet". She was sitting on the ground away from the side of the road in the vicinity of a roundabout when an unlicensed, uninsured driver of a borrowed motor vehicle attempted to undertake a "drifting" manoeuvre around the roundabout, lost control of the vehicle, drove off the road and into collision with a number of bystanders, causing death and serious injury.

Article 2 was engaged.

Evidence was heard as to the role of the police and local authority in preventing and monitoring regular car meets where large numbers of cars were habitually driven dangerously.

Fatal Accident

FW (Widow and Executrix of the Estate of GW, Deceased) v PLC

The Claimant cyclist suffered fatal injuries as a result of a collision with a car driven by the Defendant. Liability was admitted. The claim was brought on behalf of the Deceased's Estate and on behalf of the widow and children of the Deceased as dependants.

The Deceased, aged 47 at the date of his death, was a secondary school teacher. The most significant quantum issue in the case concerned the likelihood/reasonable expectation of his future career progression to Head of Department, Assistance Head Teacher and ultimately to Head Teacher.

Following JSM the case settled in the sum of £830,000. The settlement was approved in April 2019.

Road Traffic Accident

SH (a Protected Party proceeding by her daughter and Litigation Friend) v PM

The 87-year-old Claimant pedestrian suffered multiple injuries, including brain injury, when struck by the Defendant's car. Prior to the accident she had been independent, fit and active. As a result of the accident she became dependent on assistance from her family. She suffered restrictions in her mobility and activities of daily living. She lost her confidence.

The Claimant relied on expert evidence from a consultant in neurorehabilitation, a neuropsychologist, an otorhinolaryngologist, a consultant physician and geriatrician and a nursing care expert

Settlement was approved in the sum of £190,000.

Clinical Negligence

Settlement at JSM in case arising from death caused by failure to diagnose infective endocarditis. Complex medical evidence in relation to breach and causation. Significant dependency claim.

Clinical Negligence

Settlement - psychiatric injury following still birth.

Inquest

Inquest touching upon the death of a resident of a care home who was assaulted by a fellow resident and subsequently died.

Personal Injury

Acted for Defendant in JSM involving severe traumatic brain injury and ongoing cognitive impairment.

Fatal Accident

Acted for Claimant in JSM. Fatal accident claim. Future financial and services dependency.

Personal Injury

Acted for Claimant in JSM. Severe facial burns leading to facial disfigurement and life changing psychological reaction. Future care, support and loss of earnings.

Personal Injury

Acted for Defendant in appeal from District Judge to Circuit Judge involving application of section 35 of Limitation Act 1980 and CPR 17.4

Inquest

Inquest upon the death of man following his release from psychiatric hospital into community. Extensive witness evidence concerning professional judgment and decision making and the adequacy of follow up care.

Personal Injury

Liability trial in road traffic accident claim – accident reconstruction and engineering evidence in issue.

Personal Injury

Settlement at JSM in case involving spinal injuries, vestibular injuries and psychiatric injuries.

Personal Injury

Settlement at JSM in case involving serious fractures to both feet – main issues in dispute relating to future loss of earnings and care requirements.

Personal Injury

Settlement achieved in case involving internal injuries to a young woman causing infertility and need for IVF treatment.

Personal Injury

Trial on liability involving consideration of local authority's powers and duties under the Highways Act 1980 and at common law.

Personal Injury

Junior in trial - serious brain injury. The main issue at trial was whether the Claimant should recover damages to enable her to receive care in her own accommodation in the community or whether her claim should be limited to damages to enable her to continue receiving care in a residential home.

Personal Injury

Trial - occupational stress. Issues of liability and causation in respect of allegedly mishandled disciplinary procedure.

Personal Injury

Settlement in case arising from Salford gas explosion - serious burns and respiratory injury.

Personal Injury

Settlement in case involving serious knee injury - significant future care claim.

Personal Injury

Settlement achieved in Joint Settlement Meeting in case involving chronic pain.

Personal Injury

Junior in case involving below knee amputation - issues involving surveillance evidence and credibility. life expectancy, future needs. The case settled a few days before trial.

Clinical Negligence

Settlement achieved in clinical negligence claim in relation to eye surgery.

Personal Injury

Joint Settlement Meeting - brain injury and significant psychological symptoms, issues relating to future employment prospects.

Personal Injury

Accident on construction site - multiple defendants; arguments in relation to the interpretation of the Work at Height Regulations 2005.

Personal Injury

Settlement achieved in claim involving occupational emphysema, complex issues of medical causation.

Personal Injury

Accident on the highway - arguments in relation to public nuisance and negligence.

Personal Injury

Joint Settlement Meeting - shoulder injury, issues relating to quantification of future care, aids and equipment.

Personal Injury

Joint Settlement Meeting - knee injury and significant psychological symptoms, issues relating to credibility, residual working capacity and future care, aids and equipment.

What the Directories say

"He is excellent technically and provides very detailed, reasoned and sensible advice. He is good both in conference

and on paper." "He is meticulous in his planning and very approachable."

Chambers & Partners, 2021

'Very approachable and excellent with clients. Always available to discuss issues and tactics. Always provides very sensible, reasoned and well considered advice and whose opinion on matters I trust which is invaluable. Gets great results and will always fight our corner.'

Legal 500, 2021

"He's accessible, approachable and very easy to work with." "Daniel is very charming, does an excellent job and is a pleasure to work with."

Chambers and Partners, 2020

Junior who is well regarded for his work in catastrophic injury cases, including fatal accident claims. He has extensive expertise in matters pertaining to employers', occupiers' and public liability, as well as RTAs. He receives instructions from both claimants and defendants. He is experienced appearing at inquests. "He is excellent and really empathises with clients, making them feel reassured. He is also tenacious and meticulous." "He has great technical ability, is very approachable and is a good negotiator and advocate."

Chambers and Partners, 2019

'Well known for his great ability to empathise with clients.'

Legal 500, 2018

Junior who is well regarded for his work in catastrophic injury cases, including fatal accident claims. He has extensive expertise in matters pertaining to employers', occupiers' and public liability, as well as RTAs. He receives instructions from both claimants and defendants. "He has a calm, kind approach but is there to fight hard and get the best settlement for a client. He is very approachable and very well liked by clients." "His technical ability and in-depth knowledge of the required areas, together with his empathetic approach, make him an asset to chambers."

Chambers and Partners, 2018

'Excellent at empathising with lay clients.'

Legal 500, 2017

Junior who is well regarded for his work in catastrophic injury cases, including fatal accident claims. He has extensive expertise in matters pertaining to employers', occupiers' and public liability, as well as RTAs. "He is an incredibly able advocate, who is well prepared but who also doesn't seem to feel stress in the court room, he's always very quick to deal with anything thrown at him." "Extremely approachable, engaging and prepared to work very flexibly to meet his instructing solicitors and clients' needs."

Chambers UK, 2017

'A clear and pragmatic communicator.'

Legal 500, 2016

He is admired by commentators for his technical knowledge and steadfast approach. Strengths: "He is extremely approachable, engaging and prepared to work very flexibly to meet his instructing solicitors' and clients' needs."

Chambers UK, 2016

'He has a solid understanding of the pressures that local authorities face'. (Personal injury and clinical negligence)

Legal 500, 2015

Acts for defendants and claimants on a range of personal injury matters, including those concerning road traffic accidents, fatal accidents and employers' liability. "He is an incredibly effective advocate but very measured in his approach." "He is always available for advice, and goes the extra mile."

Chambers UK, 2015

'Very experienced and good on his feet.' (Personal injury and clinical negligence)

Legal 500, 2014

"He's very strategic in his approach and very empathetic with clients."

Chambers UK, 2014

recommended

Legal 500, 2014

Naturally unassuming and modest character in private, but a sharp and persuasive intellect in his professional role

Legal 500, 2011

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