

DANIEL NEILL

CALL: 2008

"A tenacious trial advocate, well prepared and gives his all for his clients."

LEGAL 500 2021

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Daniel specialises in personal injury and clinical negligence. He has a busy practice, acting for both claimants and defendants. Most of his work is on the multi-track. He has a loyal following of solicitors and is particularly valued for his dynamic advocacy, robust pleadings and pragmatic advice.

PRACTICE AREAS

- Personal Injury
 - Clinical Negligence
 - Professional Discipline
 - Costs and litigation funding
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PERSONAL INJURY

Daniel acts for claimants and defendants in a broad spectrum of personal injury cases. He has a particular interest in fatal accident claims, and his current caseload includes a multimillion-pound dependency claim. He is regularly instructed by defendants in cases involving accidents at work and where fundamental dishonesty is alleged. Being a member of Guildhall's Costs team, he is regularly instructed to attend CCMCs and assessment hearings. He is co-editor of the APIL Personal Injury Law, Practice and Precedents section on occupiers' liability claims.

Daniel undertakes work in the following areas:

- Road traffic accidents
- Employers' liability
- Highways
- Public liability
- Occupiers' liability
- Animals Act
- Asbestos
- NIHL
- Product liability
- Fatal accidents
- Inquests
- Costs

SIGNIFICANT CASES

- Fatal accident case. Multimillion-pound claim by several dependants. Claimant instruction. Ongoing.
 - Employers' liability case. Claim by aircraft prepper raising complex issues of causation and quantum. Defendant instruction. Settled at JSM.
 - Public liability case. Claim following alleged slipping accident; finding of fundamental dishonesty made at trial. Defendant instruction. Judgment given.
 - Employers' liability case. Claim for more than £300,000 for permanent back injury, reduced to less than £20,000 at trial on basis of short-term acceleration. Defendant instruction. Judgment given.
 - Road traffic accident. Half-a-million-pound claim by young gamekeeper with career-ending injuries. Claimant instruction. Settled at JSM.
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CLINICAL NEGLIGENCE

Daniel's clinical negligence practice ranges from nursing and obstetrics claims to more niche areas such as ophthalmology and dentistry. He has a loyal following of solicitors with whom he works closely from the very outset of cases, providing a strategic overview from pre-action correspondence to settlement or trial.

Daniel undertakes work in the following areas:

- Surgical negligence
- Nursing negligence
- Delay in diagnosis/treatment
- Unnecessary/inappropriate treatment
- Obstetrics and gynaecology
- Oncology
- Ophthalmology
- Dentistry
- Pharmacology
- Cosmetic surgery
- Psychiatry

SIGNIFICANT CASES

- Double-amputation case. Claim arising from negligent nursing care, leading to sepsis and amputation. Claimant instruction. Ongoing.
 - Obstetrics case. Claim for death of baby following negligent management of childbirth. Claimant instruction. Ongoing.
 - Bowel surgery case. Claim for death in the course of surgery with issues related to dependency percentages. Claimant instruction. Settled.
 - Ophthalmology case. Claim arising from delayed diagnosis of glaucoma leading to deteriorated vision and risk of blindness. Claimant instruction. Settled.
 - Extravasation case. Claim for injury sustained in the course of chemotherapy treatment. Claimant instruction. Settled.
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PROFESSIONAL DISCIPLINE

Daniel has considerable experience of acting on both sides of the disciplinary fence. He has prosecuted dentists at the General Dental Council and defended nurses at the Nursing and Midwifery Council. His cases have covered a panoply of performance, conduct, competence and health issues (including interim orders), and he has the unusual distinction of never having had a nurse struck off the register.

COSTS AND LITIGATION FUNDING

Daniel is regularly instructed to deal with costs matters in personal injury and clinical negligence claims, in particular CCMCs. He also attends applications and assessment hearings and provides advice on discrete costs issues.

RECOMMENDATIONS

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Personal Injury

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MEMBERSHIPS:

- Personal Injuries Bar Association
 - Professional Negligence Bar Association
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EDUCATION:

- BVC at BPP, London: Outstanding
 - GDL at BPP, London: Commendation
 - PhD in Victorian literature at Emmanuel College, Cambridge
 - MA in English literature and Cultural Studies at UCL: Distinction (top mark overall in year group)
 - BA (Hons) in English literature at Emmanuel College, Cambridge: First
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