

# Ella Davis

Call: 2013

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Ella Davis is a civil practitioner specialising in clinical negligence and personal injury.

Her expertise is recognised in both Chambers and Partners and the Legal 500. In addition to a busy court and paperwork practice, she is also frequently instructed in mediations and settlement meetings. She has experience in handling complex and high value cases on her own and working with a leader.

Ella has a reputation for being a thorough and approachable advocate. She prides herself on dealing with difficult cases robustly yet sensitively.

## Areas of Expertise

### Clinical Negligence & Healthcare

Ella acts for claimants and defendants and is recognised as a Leading Junior by the Legal 500. She is trusted to handle substantial claims without a leader, and acts as junior counsel in high value and complex claims.

She frequently represents clients in settlement meetings and mediations, often in seven figure claims and against very senior counsel.

She has experience of a wide variety of cases including those concerning delayed diagnosis of cancer, injuries at birth, wrongful birth, missed orthopaedic diagnosis, failure to obtain informed consent, stroke, colorectal surgery, urology, cosmetic surgery and chronic pain.

Ella also accepts instructions to provide advocacy at inquests.

### Notable Clinical Negligence & Healthcare cases

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P v NHS Trust [2023]

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Ella was instructed with Edward Bishop KC to settle the counter schedule in this eight figure claim involving a brain injury to a 6 month old baby.

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K v NHS Trust [2023]

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Ella advised and settled a counter schedule in this case arising out of a negligently caused kidney injury. The claim was pleaded in excess of £1 million and Ella represented the Defendant at a successful mediation at which the Claimant was represented by a silk.

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R v NHS Trust [2022]

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Ella was instructed for the Defendant in the High Court trial of this claim concerning the diagnosis of cancer in a baby and her mother's secondary victim claim. The claim settled immediately before trial.

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Inquest touching the death of TT [2021]

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Ella acted in the inquest and civil proceedings for the family of TT, who died following complications of an extremely rare drug reaction. The coroner found that his death in hospital was contributed to by neglect, including the absence of regular dermatology review, lack of application of emollients for whole body exfoliative dermatitis and food and fluid not being adequate to meet his needs, leading to malnutrition.

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M v NHS Trust [2019]

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Ella, acting as junior to Lord Edward Faulks KC, was instructed to settle the counter schedule in this eight figure wrongful birth claim.

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## Personal Injury

Ella practises across the field of personal injury, including in cross border claims. She has significant trial experience and her adept handling of fraudulent and exaggerated personal injury claims is recognised by Chambers and Partners. Ella is regularly instructed by local authorities in claims where complex duty of care issues arise. She also has experience of claims involving chronic pain, abuse, traumatic brain injury and secondary victims.

### Notable Personal Injury cases

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Brands v Carr [2023] EWCA Civ 1303

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Instructed as junior counsel to Lord Edward Faulks KC in the appeal from this employer's liability claim concerning a catastrophic brain injury.

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Tindall v Thames Valley Police [2022] EWCA Civ 25

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Junior counsel to Andrew Warnock KC in this appeal concerning the private law duty of care owed by public authorities to individuals. A further appeal is due to be heard by the Supreme Court in June 2024.

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## Public Sector & Human Rights

Ella has particular experience of cases concerning the private law duty of care of public authorities. Ella has also acted in claims concerning abuse and the duties of social workers. She further has experience in claims brought under the Equality Act and the Human Rights Act, including in a clinical context.

### Notable Public Sector & Human Rights cases

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Council v K [2023]

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Acting for the Claimant local authority in this successful contribution claim against an abuser.

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Tindall v Thames Valley Police [2022] EWCA Civ 25

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Junior counsel to Andrew Warnock KC in this appeal concerning the private law duty of care owed by public authorities to individuals. A further appeal is due to be heard by the Supreme Court in June 2024.

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Kasikci v London Borough of Southwark [2018]

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Claim that a local authority had breached a duty of care by failing to place a homeless applicant in suitable temporary accommodation dismissed on the basis that no such duty existed.

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## Civil Fraud

Ella's "adept handling of fraudulent and exaggerated personal injury claims" is recognised by Chambers and Partners. She is regularly instructed on behalf of road traffic insurers in cases where fraud is suspected or alleged and as a result she is very familiar with the case law relating to fundamental dishonesty. Ella is able to draw on this trial experience to advise on suitable tactics in a wide variety of claims where such issues arise. In particular, she has acted in a number of clinical negligence cases involving exaggeration and other examples of dishonesty. She is sought after for her robust pleadings.

## Inquests & Inquiries

Ella is regularly instructed to appear in inquests, including those which arise out of suspected negligence. She has acted for families and local authorities.

### Notable Inquests & Inquiries cases

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#### Inquest touching the death of HB [2023]

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Acting for the parents of a 4 year old boy who died suddenly in hospital following the obstruction of his airway secondary to a respiratory infection.

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#### Inquest touching the death of MV [2022]

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Acting at the PIR for a local authority, one of 11 IPs, in this inquest arising out of the murder of the deceased.

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#### Inquest touching the death of TT [2021]

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Ella acted in the inquest and civil proceedings for the family of TT who died following complications of an extremely rare drug reaction. The coroner found that his death in hospital was contributed to by neglect, including the absence of regular dermatology review, lack of application of emollients for whole body exfoliative dermatitis and food and fluid not being adequate to meet his needs, leading to malnutrition.

## Police Law

Ella has a special interest in civil actions against the police. She has advised in relation to police misconduct proceedings, human rights claims and data protection issues. She has also provided training on human rights claims and is always happy to deliver training.

### Notable Police Law cases

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#### Tindall v Thames Valley Police [2022] EWCA Civ 25

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Junior counsel to Andrew Warnock KC in this appeal concerning the private law duty of care owed by public authorities to individuals. A further appeal is due to be heard by the Supreme Court in June 2024.

## Education

- University of Oxford, History with Modern Languages (French)
- Nottingham Law School, GDL (Distinction) and BPTC (Outstanding)

## Privacy Notice

You can find Ella Davis' Privacy Notice [here](#).

## Notable Cases

- Tindall v Thames Valley Police [2022] EWCA Civ 25

## Accreditation Logos

