Ella Davis

Call: 2013

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Ella Davis is a leading junior specialising in clinical negligence and personal injury.

In addition to a busy court and paperwork practice, she is frequently instructed in mediations and settlement meetings. She has experience in handling complex and high values cases on her own and working with a leader. She has appeared as a junior in the Supreme Court, where she took a share of the oral advocacy.

Ella acts for claimants and defendants. She has a particular expertise in the liability of public authorities, and is regularly asked to advise in relation to difficult issues about the existence of a common law duty of care. She is also frequently instructed in cases involving claims under the Human Rights Act 1998.

Ella has a reputation for being a thorough and approachable advocate. She prides herself on dealing with difficulty 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 brought under the Fatal Accidents Act 1976. Ella also accepts instructions to provide advocacy at inquests.

Ella enjoys getting to grips with complex medicolegal evidence, and is comfortable exploring such issues with expert witnesses in conference.

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Notable Clinical Negligence & Healthcare cases

S v NHS Trust [2025]

Ella handled the robust defence of a consent case which was discontinued shortly after a JSM in the weeks before trial.

SR v NHS Trust [2024]

Ella was instructed to draft the Schedule of Loss in this claim arising out of the negligent treatment of a spinal injury. The claim was pleaded in excess of £6 million.

P v NHS Trust [2023]

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.

K v NHS Trust [2023]

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.

R v NHS Trust [2022]

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.

M v NHS Trust [2019]

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

Personal Injury

Ella practises across the field of personal injury. She is regularly instructed by local authorities in claims where complex duty of care issues arise. She also has experience of claims involving chronic pain, traumatic brain injury, abuse, and secondary victims.

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Notable Personal Injury cases

Tindall v Thames Valley Police [2024] UKSC 33

Junior counsel to Andrew Warnock KC in this leading case in relation to public authority liability and the distinction between making matters worse or failing to confer a benefit. The appeal concerned whether police responding to an accident on black ice owed a duty to road users who later came upon the same patch of black ice.

Brands v Carr [2023] EWCA Civ 1303

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

Public Sector & Human Rights

Ella has particular experience of cases concerning the private law duty of care of public authorities, and was junior counsel in one of the leading cases in this area (Tindall v Thames Valley Police [2024] UKSC 33).

Ella has also acted in claims concerning abuse and social care. She further has experience of claims brought under the Equality Act 2010 and the Human Rights Act 1998, including in a clinical context.

She acts for a range of interested persons in inquests.

Notable Public Sector & Human Rights cases

Tindall v Thames Valley Police [2024] UKSC 33

Junior counsel to Andrew Warnock KC in this leading case in relation to public authority liability and the distinction between making matters worse or failing to confer a benefit. The appeal concerned whether police responding to an accident on black ice owed a duty to road users who later came upon the same patch of black ice.

Council v K [2023]

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

Inquests & Inquiries

Ella is regularly instructed to appear in inquests, including those which arise out of suspected clinical negligence. She has acted for families and a range of other interested persons. She has particular experience of representing supported living organisations in

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relation to the deaths of service users.

Notable Inquests & Inquiries cases

Inquest touching the death of SH [ongoing]

Ella is instructed on behalf the family of this young man who died in hospital following suspected negligence, including a never event.

Inquest touching the death of HB [2023]

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.

Inquest touching the death of TT [2021]

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.

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.

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

Tindall v Thames Valley Police [2024] UKSC 33

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duty to road users who later came upon the same patch of black ice.

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 [2024] UKSC 33**

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