

David Tyack KC

Call: 1994 | Silk: 2021

"He is most technical, and attentive to details. His ability to manage expert conferences is fantastic."

Chambers UK 2024



David Tyack KC has practised exclusively in clinical negligence and personal injury work for over 20 years.

He has very wide experience of dealing with cases of the utmost severity and complexity in all main areas of clinical negligence and personal injury practice. David has appeared in all levels of the court system including the Supreme Court. David is regarded as approachable by professional and lay clients alike.

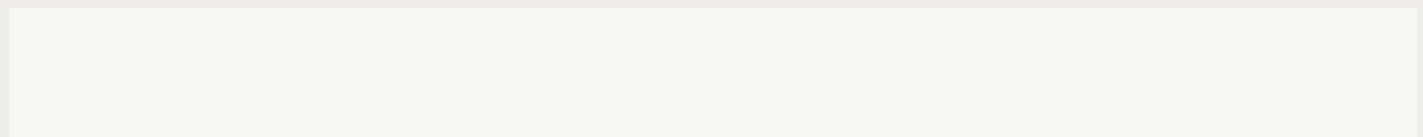
David regularly gives talks in a wide variety of clinical negligence and personal injury subjects to legal and medical professionals and expert witnesses. He has recently been invited to speak at conventions for AVMA, PIBA, MASS, BRAKE, the Expert Witness Institute and the Association of Coloproctology of Great Britain and Ireland.

David is known for his willingness to take on novel and legally complex claims. He is regularly rated as a leading silk by the main guides in the fields of personal injury and clinical negligence. He was shortlisted as Clinical Negligence Silk of the Year in the Legal 500 awards 2022.

Expertise

Clinical Negligence

David is a very experienced clinical negligence practitioner in all main areas of this field of practice. His caseload involves cases of the utmost severity and often involves complicated medical issues and difficult or novel legal points. David often gives lectures to solicitors and legal or professional organisations. He has recently been invited to do so by AVMA, the Association of Coloproctology of Great Britain and Ireland the Expert Witness Institute. He is regularly cited as a leading clinical negligence silk in the leading guides. David was shortlisted as Clinical Negligence Silk of the Year in the 2022 Legal 500 awards.



Birmingham

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Brain Injury & Cerebral Palsy

David has extensive experience of cases involving brain injuries and cerebral palsy. These include cases involving failures to diagnose haemorrhages following trauma, inappropriate brain surgery, and birth injuries. David is particularly experienced in complicated quantum issues including those concerned with the need for care and accommodation regimes to be set up pending settlement or trial. David is fully familiar with the potential use and significance of state funded care to make up any shortfall in Defendant provided care prior to settlement and in (partial liability cases), thereafter.

Cancer

David has a considerable number of claims involving failures in cancer investigation or management throughout his career. These have included cases involving negligence in GPs failing to refer, negligence by a GP failing to prescribe appropriate genetic testing, and negligence by consultants in failing properly to investigate suspicious signs and symptoms. David recently acted for a claimant in a claim who was prior to the relevant negligence non-verbal and severely autistic in any event. The failure appropriately to act upon signs of presenting testicular cancer caused below the waist paralysis, and double incontinence. The cancer was ultimately cured, but the claimant has been left with further serious disabilities.

Gynaecology & Obstetrics

David has acted in many and very claims involving gynaecological and obstetric issues.

Medical / Surgical

David has extensive experience of claims involving medical and surgical errors leading to serious outcomes.

Examples of cases in which David has been involved include the following. A claim involving a failure to detect and act upon signs of sepsis, following an accidental bowel incision during gynaecological surgery. The claimant suffered overwhelming sepsis and a cardiac arrest, which led to a long stay in ICU and critical care myopathy, causing life changing disabilities. David acted for a young woman who suffered severe bleeding as a result of a negligently performed hysterectomy. This caused severe nerve damage and a footdrop. David is currently acting for the claimants in a case in Trinidad and Tobago. This involves an allegedly unnecessary embolisation procedure to the brain, resulting in a stroke. David is acting for young woman who underwent below knee amputation as a result of a failure to diagnose and act upon compartment syndrome following an ankle replacement operation, and for a young man who suffered a below the knee amputation as a result of a negligently performed ankle replacement.

Personal Injury

David has extensive experience in all main areas of personal injury law, in particular cases involving serious injuries and fatalities. He has long experience of appearing in inquests on behalf of bereaved families and bringing claims against the MIB in relation to uninsured and untraced drivers. He has successfully appealed a decision of the MIB to designate a claim as untraced rather than uninsured. David has recently acted or is currently acting in catastrophic/multiple injury claims involving road traffic collisions involving pedestrians

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and cars, pedestrians and cyclists and passengers in vehicles, workplace accident claims, and fatal accident motor claims. David often lectures to solicitors and organisations on various personal injury topics and has recently been invited to do so for PIBA, MASS, BRAKE and the Expert Witness Institute.

Catastrophic Injury

Catastrophic personal injury claims form a substantial part of David's practice. David has long experience of dealing with cases involving catastrophic injuries, including brain and spinal injuries. David is particularly aware of the practical needs of catastrophically injured clients and their families. He recognises the importance of meeting clients to discuss their needs at the earliest possible opportunity, where preferred at their homes. He is familiar with the practical issues of implementing care regimes and acquiring suitable accommodation pending settlement or final hearing through the rehabilitation code or by obtaining interim payments. He has a proven track record of successfully obtaining interim payments through contested interim payment hearings. He has considerable experience of liaising with IFAs to secure lasting funding for clients through PPOs in both full and partial liability cases, in the latter cases where the full care regime must be achieved through a workable combination of PPs and local authority or NHS provision.

Inquests, Public Inquiries & Coronial Law

David practices the following areas:

Inquests, Public Inquiries & Coronial Law (Clinical Negligence)

David has acted on behalf of families in a number of high profile inquests involving extremely sensitive issues and considerable media interest.

He is acutely aware of the sensitivities of the issues for all concerned in the inquest, but ensures that the family's concerns are clearly explored and put as necessary.

Examples of inquests in which David has acted for families include an inquest touching upon the death of an infant who died as a result of negligence during open heart surgery, an inquest touching on the death of a young man who died as a result of a severe primary embolism, and an inquest in relation to a young man who died during kidney dialysis. In the latter case, the young man bled to death when a lead into the dialysis machine became detached and was not investigated, in spite of an alarm being sounded. The Coroner accepted the family's submission that the case should be dealt with as an Article 2 inquest and found systemic failures. The relevant hospital trust was later fined more than £1 million for health and safety breaches.

Inquests, Public Inquiries & Coronial Law (Personal Injury)

David has represented the families of the bereaved at numerous inquests. He has represented families in a number of high profile inquests which have often attracted media attention. He has acted in inquests touching upon the deaths of a very wide cross-section of the community from young children to senior citizens. David is aware of the sensitivity of each and every case for all involved, but is always concerned to ensure that the family's concerns are aired and put as directly as may be required.

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Awards



Accreditations

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Qualifications

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