

Year of 1995

Call:

Practice Areas: Personal Injury, , Civil actions involving the Police & Prisons (principally on behalf of defendants), inquests, Junior Counsel to the Crown Attorney General Regional Panel, Licensing

Email: clerks@cobden.co.uk

"Well versed in handling high-profile inquests involving police forces and deaths in custody"

Legal 500 (2019)



Profile

Personal Injury

David maintains a large and busy personal injury practice. He acts on behalf of both claimants and defendants with a focus on larger loss & catastrophic injury. His practice covers all aspects of the field from road traffic, employers' liability, product liability & sports injury. He deals with a wide range of significant and serious injury including those of the utmost severity & complexity involving the Court of Protection. His particular speciality & interest is in chronic pain. He has huge experience and expertise in representing both claimants and defendants in all avenues of the field, particularly fibromyalgia cases. He has an in depth knowledge of the law, the medicine and relevant medico legal experts in what is now considered to be a niche area. He has acted in cases at High Court level. His practice also includes serious spinal injury and brain injury, again for both claimant and defendant. He is frequently instructed alone or alongside leading counsel. He has a particular interest and specialism in the difficult liability & apportionment issues which can arise in pedestrian cases, including perception reaction times & accident reconstruction.

Police actions

David also has huge experience in the field of civil actions involving the police and prisons, ranging from malicious prosecution, false arrest/imprisonment and assaults right through to dog biting cases & employers' liability claims, complex quantum disputes including police pensions and RTA's involving police vehicles. He regularly advises police forces on a wide range of operational and Human Rights issues, most recently in relation to the scope of the investigative duty, human trafficking, slavery and servitude. He recently advised on and acted in relation to one of the first slavery and trafficking risk orders to be sought nationally on behalf of a Hate Crime and Community Cohesion Unit. He has extensive experience of advising on and acting in relation to football banning orders. He has also acted in police disciplinary matters. He is HOLMES trained and Home Office security vetted.

Article 2 Inquests

David also has extensive and unique experience in the field of Article 2 inquests, ranging from deaths in custody to recently representing Operation Resolve, the new criminal investigations into the Hillsborough disaster, at the new inquests before Sir John Goldring.

In 2015 he was appointed by the Attorney General to his panel of regional counsel.

Licensing

David has considerable experience in licensing matters.

His pedigree in this niche area includes many cases up to High Court level including:-

“R (on the application of the Chief Constable of the Lancashire Constabulary) v Reedley Magistrates Court [2004]EWHC 677 (Admin)”

David is a member of the Institute of Licensing and holds the Professional Licensing Practitioners Qualification (2018)

He takes instructions in the following areas:

- Licensing Act 2003
- Firearms
- Gambling Act 2005
- Taxi
- Street trading
- Sex establishment
- Scrap metal dealers

Please contact his clerk Dan Monaghan with any enquiries

Approach to practice

David has an informal and approachable ethos to his practice, welcoming calls or emails to discuss a tricky point or just to get a view on an issue which wouldn't necessarily justify formal instructions to advise. He is happy to receive formal instructions by e mail & understands the needs of clients for flexibility & quick turnarounds. His practice takes him all over the country & he is more than happy to attend client premises for conferences.

Outside Interests

Spending time with his young family, walking, skiing, golf, cricket and watching any sport;

David Sandiford is an employee D Sandiford Ltd which is fully regulated and authorised by the Bar Standards Board. D Sandiford Ltd has adopted the Cobden House Chambers complaints policy & privacy policy as its own policies and this can be found on the main Chambers website'

Testimonial Quotes

Well versed in handling high-profile inquests involving police forces and deaths in custody' (Legal 500 2019)

'Noted for his expertise in inquests involving the police' (Legal 500 2017)

Notable Cases

Notable Cases & a flavour of practice

The Waterhouse Inquiry (The North Wales Child Abuse Inquiry);
The Hillsborough Inquests (on behalf of Operation Resolve);

Recent cases:

D v S - personal injury – pedestrian versus bus – traumatic brain injury – JSM – for defendant

Re A - Modern Slavery Act 2015 – for the police – first interim Slavery and Trafficking Risk order nationally and full order after 4day trial

Re J – Article 2 inquest – prison death – for the Police

Re S – Article 2 – prison death – issues of substandard medical treatment – for the prison

Re H – Article 2 inquest – prison death – hanging – for the prison

A v U – personal injury – severe electrical burn injuries –for the defendant

A v B - personal injury – employee on foot versus bus– crush injury, chronic pain – for claimant- settled at JSM

Re.G – Article 2 inquest – suicide by hanging, acting for the for the MOJ

Re.D – Article 2 inquest involving fatal road traffic accident acting for the driver

Re.J - Article 2 inquest - prison suicide following remand, acting for the police

S v Chief Constable of T - false arrest, malicious prosecution, breach of confidence acting for the police

Re: B, inquest & ongoing investigation, for the IPCC, high profile.

RE: X, Inquest, for the Police, Mental Health, death after multi agency contact, issues around welfare checks and inter agency policy & procedure.

C v Chief Constable of Y, custody time limits, mental health, issues around delay, inter agency protocol & procedure.

D v Chief Constable of E, serious assault on officer, employer's liability, issues around risk assessment & deployment with CEOs

R (on the application of T) v Secretary of State for the Home Department, judicial review, Article 8 & domestic violence;

G v JHC, multi track, personal injury employer's liability, alleged chronic pain, split trial over 4 days on liability.

C v KCH, clinical negligence / care issues, elderly claimant, falls, hip fractures, issues around DOLS/restricted liberty

X v Chief Constable of Y, false arrest, false imprisonment, assault settled at JSM.

B v Chief Constable of C, false arrest, assault, false imprisonment, malicious prosecution, ongoing.

F v XYZ, multi track, head injury, multi party, expert engineering evidence, split trial listed for 6 days

C v Chief Constable of D, false arrest, assault, false imprisonment, substantial schedule of loss, ongoing

I v Secretary of State for the Home Department, illegal working, CPN, liability and quantum appeal

F v Ministry of Defence, for the MOD, soldier's noise induced hearing loss & tinnitus, issues around disclosure, combat immunity & the duty of care;

R (on the application of B) v Secretary of State for the Home Department, judicial review, immigration, for the SSHD, issues around delay in decision making

X v Y, personal injury, for defendant, claimant discontinuing, application for finding of fundamental dishonesty, forged documents, handwriting expert.

RTA, child versus mini bus, multi track, serious leg injuries, liability and quantum issues;

RTA, pedestrian versus car, multi track, liability and quantum, significant lower limb injury;- RTA, injury to claimant in utero, extreme pre term delivery, severe developmental delay, led by Richard Hartley QC;

RTA, pedestrian versus car, serious head injury, liability and quantum, led by Richard Hartley QC;

RTA, fatal accident, motorcyclist, significant dependency claim;- EL, chronic pain, trial, significant value and complexity, settled after 2 days of trial;

RTA, pedestrian versus car, head injury, claim dismissed at trial, adjourned for written submissions on fundamental dishonesty;

EL, serious back injury, multi track, complex future loss of earnings, loss of congenial employment, pension loss, lost renovation & development projects;

OLA, serious lower leg injury, deterioration inevitable, high earning claimant, liability and quantum;

EL, back injury, manual handling & PUWER (pre s.69), multi track, whiff of fraud;

EL, large multi track chronic pain, settled as JSM with co defendant, whiff of exaggeration;- X v Chief Constable of Y, EL, multi track, large and complex pension loss & future loss of earnings - A v Chief Constable of B: operational advice on the investigative duty, human trafficking, Human Rights Act;

D v Police and Crime Commissioner of E, RTA, low velocity defence, claim dismissed;

H v Chief Constable of Y, EL, injury to officer in course of search, liability and pension loss issues;

B v Chief Constable of C, EL, needlestick injury from a hypodermic needle injury during a pat down search;

Inquests: Re X: death in custody, prison death, Article 2 engaged, for the custody officers; Inquests: death in hospital, Article 2, allegations of assault by ambulance crew, for ambulance crew;

F v Chief Constable of G: Human Rights, Data Protection Act, issues of privacy around photographic witness appeals;

B & C v Chief Constable of D: false arrest, false imprisonment, assault, malicious prosecution;

A v Chief Constable of B: advice on execution of warrants, human trafficking, prostitution;

K v Chief Constable of L, EL, officer injured in course of riot training;- B v Chief Constable of C, unlawful continuation of notification requirements for sex offender, breach spanning many years, Human Rights Act, difficult issues of quantum;

PL, alleged defective bicycle, child claimant, serious head injury, issues of contributory negligence (no helmet);

PL, generally a wide range of personal injury cases arising from, for example, bicycles constructed in store, wallpaper steamers, collapsing hammocks, exploding charging stations, etc;

EL, armed robbery in store, employees tied up, psychological injury;

EL, construction regs, injury on construction site, issues of liability around main contractor/sub contractors;

RTA, fatal accident, child, nervous shock claim from bereaved parents, issues around secondary victims;

RTA, relief from sanction, fees only costs budget, C seeking relief, Central London CC, application to strike out pending - Common law and contract, haulage industry, contaminated load, multi track, trial and settlement, for Defendant;

Membership

- PIBA
- APIL
- British Association of Sport and Law
- Institute of Licensing

Qualifications

Educated at Bolton School and Oxford University (St. Edmund Hall) Called 1995 (Grays Inn), Karmel Scholar and Junior Award Winner Junior Counsel to the Crown (Attorney General's regional panel). Appointed 2015 (for personal injury work, prisons, inquests).

Cricket Blue, PGCE Cambridge University (Hom), member of the MCC