

David Kemeny

Year of Call: 2016

Email Address: david.kemeny@3pb.co.uk

Secure Email: David.kemeny@3paper.cjsm.net

Telephone: 01202 292102



Overview

David Kemeny accepts instructions for both Claimants and Defendants in a broad range of common law practice areas, at both County Court and High Court level. He has a particular focus on personal injury and clinical negligence claims, as well as civil procedural disputes, and is often instructed in cases involving issues of credit hire and fundamental dishonesty. In addition, David has experience of cross-border claims, economic torts, construction and other contractual matters, employment disputes and Crown Court defence work. David was appointed to the Attorney General 'C' Panel in 2025.

David is available for court representation, written advocacy and advisory work. He appears in court regularly for Fast Track trials, application hearings and case management hearings; and he is increasingly instructed on Multi Track matters at all stages ranging from pre-action conferences through to settlement negotiations and trials. David also has an increasingly busy paper-based practice, advising frequently on matters of liability, quantum, civil procedure and case management strategy; and drafting statements of case, witness statements and questions to experts.

David joined chambers following successful completion of pupillage in October 2021 and works predominantly out of chambers in Bournemouth. Prior to pupillage, David worked as a paralegal in a London firm specialising in personal injury claims, as a researcher for Practical Law and as a freelance county court advocate. He studied modern languages as an undergraduate and then international politics at postgraduate level, before converting to law where he developed a keen interest in mooting. He was rated Outstanding on the Bar Course, excelling in Civil Litigation and Civil Advocacy.

Outside work, David enjoys chess and other strategy games, science fiction, travelling and attending live music performances.

Academic qualifications

- BPTC (City University Law School)
- GDL (BPP)
- MSc International Politics (School of Oriental and African Studies)
- BA (Hons) French & German (University College London)

Scholarships

- Lincoln's Inn Buchanan Award
- Lincoln's Inn Lord Denning BTPC Scholarship
- BPP Internal Mooting Competition winner
- Westminster University Mooting Shield winner

Expertise

Personal Injury

Personal Injury matters comprise the mainstay of David Kemeny's practice, and he accepts instructions from both Claimants and Defendants in all related fields.

His expertise covers road traffic accidents, claims under the Occupiers' Liability, Highways and Defective Premises Acts, vicarious liability, employer's liability and public liability disputes.

David is confident carrying out complex calculations of special loss, including multiple losses at varying periods and rates of interest, future loss of earnings and Fatal Accident Act dependency claims.

Examples of recent work include:

- Advising on quantum of general and special damages where medical evidence as to physical and psychological injuries is in dispute
- Advising on the recoverability of damages in relation a diagnosis of early-onset Alzheimer's Disease following a traumatic brain injury
- Drafting proceedings against multiple defendants in respect of injury caused by defective building works within a residential property
- Drafting proceedings against the Motor Insurers' Bureau
- Trial in respect of an assault by one serving prisoner against another on the Prison Estate

Credit Hire

David is frequently instructed by both Claimants and Defendant to argue issues relating to credit hire charges.

He is available to provide training and advise on matters of disclosure.

International

David is developing a practice involving claims with an international element.

He has previously advised on matters of cross-border service and jurisdictional challenges, claims involving foreign insurers, and claims brought under the Montreal Convention. David also accepts instructions involving accidents abroad, including package holiday claims.

David speaks fluent French and German and has a working understanding of Danish and Portuguese.

Economic and Other Torts

David has experience drafting pleadings concerning issues of deceit, undue influence and intentional torts.

Clinical Negligence

David's interest in clinical negligence predates his career at the Bar, having had early work experience of cases involving neurosurgical expert evidence.

His clinical negligence practice encompasses written advice on pre-action conduct and settlement, breach of duty, causation and quantum; drafting pleadings, including High Court cases; and advising in conference.

His recent experience includes cases of:

- Delayed diagnoses
- Negligent treatment
- Withdrawal of treatment
- Fatal Accident Act claims

Contractual disputes

David Kemeny accepts instructions for advocacy and drafting in matters of contract. His experience covers claims for the supply of goods and services in both consumer and business-to-business matters, construction of terms, repudiatory breach and actionable misrepresentation.

Costs

David Kemeny is quickly developing considerable expertise dealing with costs. He is particularly familiar with both old and new fixed costs regimes, as well as Qualified One-Way Costs Protection in personal injury cases and the various grounds for its disapplication.

David has experience of costs budgeting in Multi-Track cases, detailed assessments in the SCCO, making and defending applications for wasted costs, and advising on the costs of appeals in the High Court.

David also accepts instructions in other costs-only proceedings.

Articles

David Kemeny analyses the case *Armstead v Royal & Sun Alliance Insurance Company Limited* [2024] UKSC 6, which is of immense importance to understanding the fundamental legal principles underpinning the recoverability of damages in the law of tort, and should be read by students and practitioners alike.

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David Kemeny reviews the regulatory regime concerning the use of electric scooters, in light of their growing popularity and the increasing number of trials taking place in the UK, from Truro to Teeside and Copeland to Canterbury.

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