

Martin Porter KC

Call 1986 | Silk 2006



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Martin Porter KC is a leading personal injury specialist, with particular experience of clinical negligence, industrial disease, brain damage, psychiatric injury and all sports-related litigation (particularly involving cycling).

He is described by Chambers UK and the Legal 500 as a leading personal injury and clinical negligence barrister. Martin also has considerable experience of professional negligence (especially of solicitors and surveyors), insurance work and public law/human rights.

Martin broadcasts and writes frequently, including for BBC's Law in Action, The Times Law Section, New Law Journal, All England Opinion and BBC radio. He has been a member of the Western Circuit since 1987 and appears regularly on all circuits.

Martin was elected as Head of Chambers in July 2019.

Expertise

Clinical Negligence

Martin regularly appears in complex clinical negligence actions, most frequently for the defendant. He is recommended by Legal 500 as a leading clinical negligence Silk with the comment that he is "a regular fixture" in the appellate courts, and by Chambers UK as bright and adaptable in defending negligent surgery claims.

Martin also has extensive experience of appearing before the GMC Professional Conduct Committee and advising doctors and dentists facing disciplinary proceedings. He has been appointed a Legal Assessor by the GMC.

Personal Injury

A leading personal injury silk with particular experience of high value brain damage cases and industrial disease. With his professional performance noted by the directories for over 20 years, Martin was, for example, complimented on his “amazing capacity to absorb huge amounts of background information”. He has a particular interest in cycling and other sports-related claims.

Product Liability

Martin has extensive exposure of product liability work particularly in relation to bicycles or other mechanical equipment and also medical devices often with a cross border aspect.

Public Law

Martin is experienced in public law and Judicial Review with particular interest in the liability of public bodies when exercising their statutory functions with expert experience in all cycling and recreational related public law matters with particular experience challenging Public Spaces Protection Orders.

Sport

Martin has broad experience of sport-related personal injury claims.

He also has specialised knowledge of sports regulation in relation to cycling and in the application of statute law relating to cycling accidents, in particular, the wearing of helmets, liability and contributory negligence.

In the last two years he has acted for national sporting bodies, sports clubs, individuals organising sports events and people injured whilst playing or participating.

Martin himself competed regularly in cycling road races for many years.

Significant Cases

Brazier v Surrey County Council (2019)

High Court. Fatal cycling claim.

Summers v Richmond LBC (2018)

Admin Court. Challenge to Public Spaces Protection Orders.

Warren v Harvey (2016)

Court of Appeal of Bermuda. Appropriate discount rate.

Lillington v Dr Ansell (2016)

High Court. Successful defence of GP in a hyponatremia case.

FB v Dr Rana (2015)

High Court. Successful defence of GP in a meningitis case.

Chief Constable of Hampshire v Southampton City Council (2014)

Court of Appeal. Limitation in contribution claims.

Downing v Peterborough & Stamford Hospitals NHS Trust (2014)

High Court. Quantum trial. Multimillion claim for a severe pain disorder.

Powell v Ridgeback Bicycles (2013)

County Court. Product Liability. Successful claim acting on behalf of cyclist who sustained injury when his mountain bike collapsed.

Lay v Cambridgeshire & Peterborough Mental Health Partnership NHS Trust & Shair

(2013)

High Court. Injury at work complicated by poor surgery.

Bowden v Homerton Hospital (2012)

Court of Appeal. Liver disease induced by drug therapy.

Spradbury v Humber Mental Health Trust (2011)

High Court. Observations of voluntary hospital patient.

Green v Sunset & Vine (2010)

Court of Appeal. Motorsport.

Ferguson v British Gas (2009)

Court of Appeal. Protection from harassment.

Slevin v Bennetts (2008)

Court of Appeal. Display Screen Equipment Regulations.

Norman v Peterborough Hospital Trust (2008)

Late diagnosis of breast cancer.

Brazier v Wolverhampton (2007)

Court of Appeal. Loss of future earnings and sick pay.

Conn v Sunderland City Council (2007)

Court of Appeal. What constitutes harassment?

Daw v Intel (2007)

Court of Appeal. Stress at work claim.

Smith v Southampton Universities NHS Trust (2007)

Court of Appeal. Standard of duty of a surgeon.

Corbett v South Yorkshire HA (2007)

High Court. Indexation of periodical payments and impact of Working Time Regs on care regimes.

Purver v Winchester & Eastleigh NHS Trust (2006)

High Court.

Keown v Coventry Healthcare NHS Trust (2006)

Duty of care owed by hospital to child trespasser.

Aer Lingus v Gildacraft (2006)

Limitation period in Contribution Act claims.

Thompson v Butler (2005)

Court of Appeal. Brain damage following a whiplash injury.

Sheldon-Green v Coventry NHS Trust [2004]

High Court. Cord prolapse case for NHSLA.

Elmes v Hygrade Food Products Ltd [2001] EWCA CIV 121

Court of Appeal. Service of Claim Form.

Appointments

- Queen's Counsel (2006)
- Secretary of the Specialist Bar Working Party on Clinical Negligence Reform
- Legal Assessor for the General Medical Council
- Chairman of the Thames Velo Cycling Club

Awards

- Major Scholarship, Inner Temple
- Postgraduate Award, The British Academy

Education

- MA Law, Cambridge University
- LLM Public Law, Cambridge University

Memberships

- British Association for Sport and Law
- Common Law & Commercial Bar Association
- LawInSport
- Personal Injuries Bar Association
- Professional Negligence Barrister Association
- Western Circuit

Articles & Broadcasts

Articles:

“Tangled marriage of Church and State” The Times 13.06.2000.

“Human Rights One Year On” New Law Journal September 2001.

“Reasonable Costs in Insured Conditional Fee Claims” All England Legal Opinion October 2001.

“Mesothelioma: An Impossible Burden” and “Mesothelioma: The Impossible Burden lifted” commenting on the Court of Appeal and House of Lords decisions in Fairchild for All England Legal Opinion in 2002.

Numerous personal injury updates in New Law Journal

“Blame the Victim” March 2009 NLJ commenting upon cycle helmets

Broadcasts:

BBC’s Law in Action (2005) on Constitutional and Human Rights Law

ITV Meridian News on cycling (2012)

BBC The One Show on cycling (2011)

Recommendations

Featured in Legal 500 and Chambers UK each year from 1997 to date, with particular recommendations for judgment and performance in court.

“He’s got a tremendous intellect and laser focus and he understands the medicine very well.”

“Martin is detailed, easy to work with and good at resolution.”

“He is effective in court and good with the judge and clients.”

Chambers UK 2024

“Martin has an enormous intellect and a laser focus. He quickly identifies the key points in a case and plans his strategy accordingly.”

“Martin is a powerhouse when it comes to high-value claims. His knowledge and expertise is rivalled by few and having him in your corner is a real cushion of stability.”

Legal 500 2024

“Martin is extremely impressive when navigating the evidence but never loses the ability to demonstrate empathy when dealing with clients and witnesses.”

“He is incredibly well prepared and incredibly hard-working.”

“Martin is a superb and go-to KC.”

“Martin is excellent at cycle cases. His depth of knowledge is so impressive.”

“What sets him apart is how incisive he is on liability and risk.”

Chambers UK 2023

“Martin is a leading choice for cycling claims; having carved out a niche in the field of cycling litigation.”

“A top-notch negotiator.”

Legal 500 2023

“He is very approachable and has an excellent command of the facts and issues.”

“He argues his cases extremely well and is a superb trial advocate.”

“He is meticulous in his preparation for a case.”

Chambers UK 2022

“A top-notch negotiator.”

“Martin has carved out a niche for himself as a top bicycle accident silk – he argues difficult points fearlessly and is inventive in his approach to litigation.”

Legal 500 2022

“He is very approachable and accessible, well read in his subject area and able to provide realistic opinions.”

“He is incredibly astute and intelligent.”

“He’s a very technical lawyer, and his written advocacy is second to none.”

“Excellent on his feet and tirelessly tenacious.”

“He has forensic attention to detail and is very good at tricky quantum cases.”

Chambers UK 2021

“A very clever and intuitive lawyer with a direct and effective style of advocacy”

“Has outstanding knowledge of and passion for cycling-related work, and never fails to add value to a case”

Legal 500 2021

“He’s enormously experienced and has a lot of gravitas. He’s someone you listen to.”

“A brilliant barrister.”

Chambers UK 2020

“He is a no-nonsense performer who gets quickly to the point”

“His knowledge of coronial process/law is vast”

Legal 500 2020

“He’s a go-to counsel for high-value or difficult liability cycling cases”

“Very hard-working and extremely practical”

“Calm, analytical and extremely well prepared”

Chambers UK 2019

“Very user friendly”

“He is very approachable and prompt with his advice. He has a niche specialism in cycling injury cases”

Legal 500 2018

“A fount of knowledge for cycling incident cases”

“Hardworking and trustworthy”

“A brilliant advocate who gets to the issues very quickly”

“Very approachable and easy to work with. Clients like him”

Chambers UK 2018

"His client care is excellent..."

Legal 500 2017

"He has a really high level of advocacy"

"He is very thorough and at the same time highly pragmatic"

"He's great in negotiations and is exceptionally thorough. He gives people a great feeling of confidence, which is exactly what you want in leading counsel"

Chambers UK 2017

"An excellent advocate, who is able to deal with difficult judges"

"He is an excellent advocate and thorough in his preparation"

Legal 500 2016

"He is an impressive advocate"

"Martin is very good at standing his ground, and remains calm and cool"

"He is a thorough and tenacious barrister who brings great value to any case, but particularly those involving injured cyclists"

"He brings confidence and the gravitas without being overbearing"

Chambers UK 2016