Winston Hunter KC



Called: 1985
Silk Date: 2000

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Practice Overview

Personal Injury (Star Individual)
Winston Hunter KC a catastrophic injury specialist who also has extensive knowledge of issues surrounding loss of earnings and insurance indemnity. He applies his exceptional technical abilities to representing both claimants and defendants in complex, high-value cases.

"Winston is highly experienced, approachable and has a natural ability to put clients at ease." [Chambers & Partners, 2027]
"Winston's knowledge of complex insurance matters and ability to easily slice through delicately balanced issues, combined with his friendly demeanour, are a potent combination." [Chambers & Partners, 2027]
"Winston has an innate ability to take something exceptionally complicated and put it in laymans terms. You can trust and rely on anything he says." [Chambers & Partners, 2027]
"Winston is brilliant at insurance issues as well as quantum. He is a fantastic advocate and is respected by his adversaries and the court." [Chambers & Partners, 2027]
"Winston's greatest strength is the kindness and compassion he shows clients and his steady, calming approach." [Chambers & Partners, 2027]

Clinical Negligence (Band 1)
Winston Hunter KC has a broad personal injury practice that often crosses over into the clinical negligence sphere. His wide-ranging expertise encompasses wrongful birth claims and complex failure of diagnosis and treatment cases.

"His ability to handle complex issues is outstanding." [Chambers & Partners, 2027]
"Winston Hunter KC is a technically brilliant barrister whose knowledge of tactics used by both sides assists greatly in the strategic planning of cases. He is simply wonderful." [Chambers & Partners, 2027]

Strengths:
“*Winston is a silk of choice for claimants and defendants alike. He has a masterful ability to distil complex case law into a clear and simple approach.”*
“*Winston Hunter is a truly excellent barrister. He is wonderful with clients, gives excellent advice and is also practical and pragmatic.”*
“*Winston is an extremely experienced and safe pairs of hands, and he will have seen all the issues many times before.”*
“*Winston is a silk without peer in relation to matters of the upmost legal complexity. He possesses a formidable intellect which he exercises to achieve the best commercial outcome.”*
“*Winston is an excellent advocate. He is tough, but great when he is on your side. Clients respect him and lawyers admire him.”*
“Winston has incredible intellect, is always accessible and has brilliant client skills.”
“He has a great ability to cope with complex cases.”

"Winston is simply brilliant. Unrivaled knowledge of catastrophic personal injury sector, combined with a fantastic intellect. His engaging manner puts all at ease, he is also a steely negotiator driven to deliver the best results possible. A pleasure to work with." [Legal 500, 2027]

Winston is an intellectual heavyweight. He performs at the highest possible level in the most valuable cases, and has razor-sharp insight.

Clinical Negligence (1)

"Winston Hunter KC is a technically brilliant barrister whose knowledge of tactics used by both sides greatly assists in the strategic planning of cases. His knowledge of case law, not just in the fields of personal injury and clinical negligence, but also in the Court of Protection, is outstanding. However, his greatest strength in these cases is the kindness and compassion he shows to our clients and his steady, calming approach to the cases we run. In court, Winston is well-respected and able to advocate points extremely well, such that he is very often successful with applications made." [Legal 500, 2027]

Winston has many exceptional qualities. He is technically brilliant, has a wide breadth of knowledge and is very personable with clients.

PRACTICE AREAS

Personal Injury
Clinical negligence
Insurance Litigation
Professional Liability
Commercial Litigation
Employment

APPOINTMENTS

Recorder 2000
Deputy High Court Judge 2008

ASSOCIATIONS

PNBA,
PIBA,
Northern Circuit representative of The Bar Council Committee,
Chair of the Northern Circuit Race Committee,
Member of The Bar Council Race Working Group

Personal Injury

Winston Hunter is routinely instructed by both Claimants and Defendants in cases of maximum severity. In the recent past he has been instructed in some of the highest values claims with several of his recent or current instructions involving damages awarded or claimed in excess of £15 million. A particular feature of many of his instructions is where there are complex claims for loss of earnings arising from injuries to professionals such as bankers, lawyers and accountants or senior directors of large companies and other high net worth individuals.

Concluded cases
Fatal Accident Act claim for widow of young healthy Chairman and Chief Executive of FTSE 100 company. Claim pleaded at over £20 million (and settlement) reputed to be the largest ever arising from personal injuries. Highly

complex claim financial claim with each party relying on multiple financial experts addressing the issues of share options valuation, loss of financial benefits and dependency claim on interest earning capital.

Claim for damages arising out of minor RTA. Claimant was Associate Solicitor with Magic Circle firm. Damages for past and future loss of earnings claimed in excess of £8million on the basis of loss of career as equity partner. Complex medical issue as to precise cause of alleged pain in the absence of any physical injury. Defendant accepted some future disability subject to medical issue but contested claim as to nature of lost career and correct legal principles in valuation of the same.

Claim for damages for injuries of maximum severity. Claimant child aged 2 at accident, aged 17 at trial. Claimant requiring highly skilled 24 hour nursing care, presently cared for in residential setting. Complex issues as to responsibility for funding of future care needs and as to court's ability to award damages by way of PPO against insurer in liquidation. Case settled by way of complex reverse indemnity relating to periodical payments.

One of the largest ever claim for damages for stress related illness due to alleged harassment and bullying at work. Claimant was a Consultant within PCT. Damages claimed at over £7million. Complex issues relating to whistle blowing of allegations of misconduct against senior colleagues. Six week trial due to commence in January 2009. Settlement shortly before trial subject to comprehensive confidentiality agreement

Complex claim involving contribution proceedings against hospital relating to treatment of C who was negligently injured by G. M Hospital raised issues of breach and causation which were finally resolved in favor of G. C's claim complex due to combination of injuries that required 24 hour care by team of trained nurses costing £500,000 pa. Case settled in 2009 for what is said to be the largest ever PPO in respect of care.

Sample current cases
Fatal accident claim pursued by widow of senior equity partner in major city law firm. Very significant loss of dependency claim. Major issues relating to calculation of loss and valuation of outside business interest. Claim ongoing. I was instructed on behalf of the Defendant.

Fatal accident claim in respect of solicitor in large city practice but with significant and complex commercial and property interests. Significant legal issues as to approach to loss and valuation of interest.

Complex claim for damages by blind, tetraplegic claimant with some brain damages. Action ongoing due to complex issues relating to security of periodical payments. Issues if resolved by court will involve ruling on a novel and important issue relating to the powers of the court under the Damages Act 1996.

Several claims involving individuals with severe injuries including tetraplegic ventilator dependant adult and children with complex co-morbidities and adults with profound brain damage resulting in locked in state, PVS or low awareness. Complex issues relating to venue of care, the statutory responsibility of the NHS to provide care and the role of the Court of Protection under the Mental Capacity Act in determining the appropriate venue for long term care on grounds of best interest.

Claims involving funding of ongoing care where PCT involved in funding care but wish to argue that a claim for damages by the Claimant amounts to an election to waive any right to PCT funding irrespective of extent of recovery, and /or that the PCT acts lawfully in deciding that the individual no longer has any reasonable need for PCT services.Personal Injury

Clinical Negligence

Winston Hunter has a significant caseload in the area of clinical negligence. His practice covers all areas of medical mal practice. He has particular expertise in claims involving wrongful birth and failure of diagnosis and

treatment in Accident and Emergency Medicine, and the complexities of quantification arising from claims for loss of a chance of a better outcome.

Concluded cases
Complex claim arising from breech delivery. Child with minimal early signs of distress but later diagnosis of developmental abnormalities in early infanthood. Issues of breach and causation. Competing explanation for radiological evidence of deep brain infarcts. Role of neonatologists and other experts in identifying most likely cause amongst a number of competing causes.

Claim for damages arising from failed termination. Infant born with severe disabilities. Claimant pursuing damages for future cost of care and other losses on the basis that disabled child will reside with her for life. Measure of damages.

Failure to diagnose skin melanoma. Claim defended of basis of less than 50% chance of successful treatment had timely diagnosis been made. Complex medical and statistical evidence as to correct approach to statistical data on chances of successful outcome. Issue as to difference between legal and clinical definition of successful outcome.

GP failure to diagnose early signs of meningitis. Duty of GP, causation issues relating to allegation that non negligent range of response by hospital would have led to similar time delays. Burden of proof as to what would have happened. Absence of direct evidence as to what would have happened. Role of experts in identifying what would have been best practice. Relevance of financial constraints within individual Trust.

GP failure to advised on and provide vaccination to individual within target group for mumps immunization programme. Causation. Effectiveness of vaccine had it been provided.

Infant suffering apparent mild concussional head injury. Accident and emergency admission. Failure to admit infant for observation. Whether negligent. Discharge advice to parents. Re-admission. Failure to admit to ward and or to monitor. Major intracranial bleed. Duty to and timing of CT scan. Causation. Apportionment between joint tortfeasors.

Sample current cases
Admission of Claimant to hospital following assault. Failure to carry out CT scan. Claimant's condition diagnosed as due to intoxication. Delay in diagnosis of basal skull fracture and intracranial bleed. Major brain damage leading to cognitive deficit. Breach of duty. Causation. Apportionment of damage between initial injury and failure to diagnose.

Insurance Litigation

Winston Hunter is regularly instructed in claims arising out of repudiation of policies for alleged non disclosure and issues relating to the construction of insurance contracts. Particular expertise exists in claims relating to motor vehicle insurance

Concluded cases
Engagement of independent contractor. Whether terms of engagement entitled contractor to benefit of Employers Liability insurance and thus benefit of significantly higher level of indemnity. Issues highly relevant to ability of claimant to secure periodical payments.

Court of Appeal: Whether description of part time employment by insured made material by the term of the motor policy. Whether insurer entitled to avoid policy for material non-disclosure.

Terms of combined motor policy and tractor policy obtained by farmer. Whether plant hired by contractor to third party resulting in accident covered under terms of either policy. Delay in notifying insurers, whether insurer

entitled to treat duty to report as condition precedent to liability under the policy.

Historic market hall destroyed by fire. Construction of policy. Re-instatement costs under insurance. Whether insurer required to indemnify to extent of re-instatement of building to standard existing at time of fire or in accordance with modern building regulations.

Sample current cases
Court of Appeal (and ECJ): Appeals arising out of interpretation of section 151(8) Road Traffic Act 1988 and compatibility with Article 13 of 2009 Motor Directive.

Accidental fire resulting in destruction of block of residential flats. Claim under public liability policy. Whether fire as result of negligence and if so whether insurer entitled to avoid. Delay in notification. Whether report made as soon as practicable. Whether insurer required to demonstrate detriment as a consequence of any delay.

Professional Liability

Winston Hunter receives instructions in a wide range of cases involving the negligence of professionals. He has particularly expertise in cases involving claims alleging loss of a chance.

Many of his instructions relate to solicitors failure in pursuing litigation appropriately and in advising clients.

Concluded cases
Solicitors' negligence: failure to advise client as to appropriate defendant in claim for dust nuisance leading to close of business. Claim for loss of a chance of favourable outcome had correct defendant been sued. Correct measure of loss where business would have been affected to some extent but might not have failed absent nuisance. Effect of claim where nuisance contributed to by number of parties not all of whom would have been sued in the original action.

Solicitors' negligence: failure to progress litigation. Claimant's date of knowledge. Nature of the facts of which the Claimant must have knowledge before time starts to run. What is the 'damage' of which the Claimant must have knowledge?

Sample current cases
Solicitors' negligence: joint venture agreement in respect of development of land. Failure to advise as to terms of agreement. Solicitors' duty to advise professional client as to implication of bargain negotiated by client when drawing up formal document to reflect negotiated terms. Scope of contract of retainer.

Directory Comments

Chambers & Partners 2025 (PI) - Star Individual
Winston Hunter KC is a catastrophic injury specialist who also has extensive knowledge of issues surrounding loss of earnings and insurance indemnity. He applies his exceptional technical abilities to representing both claimants and defendants in complex, high-value cases.

"Winston sits right at the top when it comes to leading silks. He's technically astute, loved by clients and respected by all. He offers sensitivity, calmness and ease in the most complex situations."

"Quickly distils extremely technical issues into very accessible advice for clients. There is often a race between claimants and defendants to retain him on complex matters."

"A Rolls-Royce of silks. He's calm, reassuring and measured. He always gives great advice and gets fantastic results."

"The kindest, most talented, and most intelligent person I have ever worked with."

"One of the leading personal injury silks. He has very extensive knowledge of the full range of issues that can arise on the most complex cases."

Chambers & Partners 2025 (Clin Neg)
Winston Hunter KC has a broad personal injury practice that often crosses over into the clinical negligence sphere. His wide-ranging expertise encompasses wrongful birth claims and complex failure of diagnosis and treatment cases.

"Winston's expertise and seniority is super helpful on the most complex cases. He is very patient, forward-thinking and can think outside the box. He is also lovely with clients."

"He is clever, thorough and approachable."

Chambers & Partners 2025 (Professional Neg)
Winston Hunter KC is frequently instructed in cases arising from professional negligence claims. He focuses on those brought against solicitors and insurance brokers.

Chambers & Partners 2024 (PI) - Star Individual
Winston Hunter KC is a catastrophic injury specialist who also has extensive knowledge of issues surrounding loss of earnings and insurance indemnity. He applies his exceptional technical abilities to representing both claimants and defendants in complex, high-value cases.

"He's a brilliant leading counsel to have at the head of your team. He has expertise in all areas of law and is personable with clients."

"Winston is a forensic advocate, who reads the tribunal well and is decisive in his submissions. He has strong client care skills, with an empathic yet direct and respectful approach."

"He inspires confidence and is willing to spend the time going through the case.".

Chambers & Partners 2024 (Clin Neg)
Winston Hunter KC has a broad personal injury practice that often crosses over into the clinical negligence sphere. His wide-ranging expertise encompasses wrongful birth claims and complex failure of diagnosis and treatment cases.

"He has a brilliant mind and he is absolutely fantastic with clients."

"He's very meticulous and an excellent advocate. He's also exceptionally kind and sensitive to clients."

Chambers & Partners 2024 (Professional Neg)
Winston Hunter KC is frequently instructed in cases arising from professional negligence claims. He focuses on those brought against solicitors and insurance brokers.

Winston Hunter KC is a catastrophic injury specialist who also has extensive knowledge of issues surrounding loss of earnings and insurance indemnity. He applies his exceptional technical abilities to representing both claimants and defendants in complex, high-value cases.

"He does the most complex work in the area. He is phenomenal - exceptionally talented and ultra bright. He has an unbelievable depth of knowledge."

"Winston is a very good negotiator. He has a top-class reputation."
Chambers & Partners 2023 (Personal Injury) - Star Individual

Winston Hunter KC has a broad personal injury practice that often crosses over into the clinical negligence sphere. His wide-ranging expertise encompasses wrongful birth claims and complex failure of diagnosis and treatment cases.

"He is able to cut through the detail to get to the key issues."

"Winston is a pleasure to work with. He is particularly empathetic with clients and will take his time to ensure that they fully understand the most complex of legal issues. He has a thoughtful, considered approach and is a force to be reckoned with."
Chambers & Partners 2023 (Clin Neg) - Band 1

Winston Hunter KC is frequently instructed in cases arising from professional negligence claims. He focuses on those brought against solicitors and insurance brokers.
Chambers & Partners 2023 (Prof Neg) - Band 2

Winston Hunter QC has a broad personal injury practice that often crosses over into the clinical negligence sphere. His wide-ranging expertise encompasses wrongful birth claims and complex failure of diagnosis and treatment cases.

Strengths: "He is very engaging with clients who need a lot of emotional support, and experts also warm to his collaborative approach and depth of knowledge in medical issues. It is always a pleasure to work alongside him."
Chambers & Partners 2022 (Clin Neg)

Winston Hunter QC is a catastrophic injury specialist who also has extensive knowledge of issues surrounding loss of earnings and insurance indemnity. He applies his exceptional technical abilities to representing both claimants and defendants in complex, high-value cases.

Strengths: "He is thorough and always meticulously prepared." "Incredibly dedicated and hard-working in terms of turning around the most complex, time-consuming and document-heavy work. He has very deep knowledge of issues relating to life-changing injury cases."
Chambers & Partners 2022 (PI) Star Individual

Winston Hunter QC is frequently instructed in cases arising from professional negligence claims. He focuses on those brought against solicitors and insurance brokers.

Strengths: "Very assiduous and prepares enormously thoroughly."

Chambers & Partners 2022 (Prof Neg) - Band 2

Has a broad personal injury practice that often crosses over into the clinical negligence sphere. He is seen as a "high-value specialist" and has expertise in wrongful birth claims and cerebral palsy cases.
Strengths: "He brings out the best in clients when talking through their experiences, and helps them to feel confident in his care." "Very experienced and knowledgeable and an excellently thorough silk."
Chambers & Partners 2020 (Clin Neg)

Head of chambers. A catastrophic injury specialist who also has extensive knowledge of issues surrounding loss of earnings and insurance indemnity. He applies his exceptional technical abilities to representing both claimants and defendants in complex, high-value cases.
Strengths: "He's very personable, always accessible and has incredible attention to detail. He has a remarkable ability to achieve great results in a very understated way." "He's calm, measured and always remains completely

unflustered in the face of challenging circumstances. He is able to tackle sensitive issues with a professionalism and sincerity that can calm the most challenging individuals."
Chambers & Partners 2020 (PI)

"He has a breathtaking depth of knowledge and skill, inspiring confidence even in the most difficult of situations." "He is known to be at the top of the game. He has an unbelievable intellect and is so bright and astute." "He is meticulous, wonderful on his feet in cross-examination and has an endearing bedside manner - he displays great empathy and has the ability to put anyone at ease."
Chambers & Partners 2019 (PI)

"He is very thorough and very good with clients. He comes across as being very caring, which is paramount in these cases. He is able to empathise well." "He is a class act - the complete package."
Chambers & Partners 2019 (Clin Neg)

Head of chambers. A catastrophic injury specialist who also has extensive knowledge of issues surrounding loss of earnings and insurance indemnity. He applies his exceptional technical abilities to representing both Claimants and Defendants in complex, high-value cases.
Strengths: "The leader in this field. He's got a superb intellect and at short notice he can digest a case and give pragmatic advice of the highest quality. He has an encyclopaedic knowledge of the whole range of issues in these cases."
Chambers & Partners 2018 (PI)

Has a broad personal injury practice that often crosses over into the clinical negligence sphere. Has acted in several large cerebral palsy cases with large periodical payment orders.
Strengths: "A great intellect who combines his thorough approach to cases with a down-to-earth and approachable manner."
Recent work: Handled a wrongful birth claim in which the mother sued for costs following failure to advise in respect of Down's syndrome screening.
Chambers & Partners 2018 (Clin Neg)

Has experience on both the Defendant and Claimant side of complex cases, including crossover personal injury cases in which doctors fail to spot early signs of more serious injuries. Also advises on wrongful birth, obstetrics and adult-acquired brain injury cases.
Strengths: "Has the most massive brain in Manchester and is very switched-on." "He is a good communicator; he says so much with so few words."
Chambers & Partners 2017 (Clin Neg)

A catastrophic injury specialist who also has extensive knowledge of issues surrounding loss of earnings and insurance indemnity. Renowned for the high calibre of his advocacy and technical expertise, he acts for both Claimants and Defendants in high-value, complex cases.
Strengths: "He has a encyclopaedic knowledge of catastrophic injury work and his breadth of experience is incredibly wide. He's also got the ability to assimilate a huge amount of information and deliver high-quality advice at very short notice." "Inspires confidence in all that he does: he is a superb advocate and a real team player."
Recent work: Represented the claimant, a former senior partner at a global law firm, in a high-value claim for loss of career following injuries sustained in an accident.
Chambers & Partners 2017 (PI)

Excellent practitioner with a wealth of experience across the spectrum of clinical negligence matters. He is noted for his comprehensive knowledge of issues in claims of wrongful birth, delay in diagnosis and failure of treatment in accident and emergency medicine.
Strengths: "I was particularly impressed with his approach - he is intellectual and compassionate."
Recent work: Acted for the Defendant in a case concerning complex causation issues regarding a patient who lost their vision following a road traffic accident.
Chambers & Partners 2016 (Clin Neg)

Instructed in high-value catastrophic injury cases by both Claimants and Defendants, including complex loss-of-earnings disputes and insurance indemnity cases. Sources acclaim his ability to identify key issues and his incredible knowledge in the area.
Strengths: "He is superb - a really skilful silk who can hold the court in the palm of his hands." "He is very articulate and able to deal with complex cases. He is approachable, friendly and supportive."
Chambers & Partners 2016 (PI)

"His knowledge of the law and relevant issues is second to none."
Legal 500 2016