



# Whitestone Chambers

Vinit Khurana KC (scot.)  
CALLED AS A BARRISTER: 1999

## CONTACT



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## EDUCATION

- Edinburgh Law School - -LLB & Diploma in Legal Practice.
- Bachelor of Medicine and Bachelor of Surgery
- Diploma of the Royal College of Obstetricians and Gynaecologists
- Member of the Royal College of General Practitioners
- Diploma of Community Child Health

## PROFILE

Before becoming a Barrister, Vinit practiced as a Medical General Practitioner for over a decade. Vinit was called to the Bar of Scotland in 1999 and took silk in 2018. Vinit was called to the Bar of England & Wales in 2019. Vinit holds the rare distinction of being dual qualified in law and medicine.

Vinit's areas of specialism include clinical negligence, judicial review, professional negligence, regulatory, professional discipline and mental health.

## MEMBERSHIP

- Equality and Human Rights Commission Panel of Counsel
- Called to the Bar of England and Wales – Middle Temple.
- King's Counsel
- Shrieval chair to the Mental Health Tribunal for Scotland
- Police Appeals Tribunal panel member
- Part time Sheriff

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## PRACTICE

Vinit has a wide ranging practice covering both advocacy and advisory work in complex and high profile matters. He acts for and against private individuals and corporations, public bodies and health boards across a broad range of medical law. As well as appearing in court, he regularly provides written advice on a wide variety of matters. His specialisms include:

- clinical negligence
- judicial review
- professional discipline
- professional negligence
- personal injury
- regulatory
- mental health.

### CLINICAL NEGLIGENCE

Vinit acts for both claimants and defendants in negligence cases in areas including anaesthetics, cardiology, dermatology, emergency medicine, ENT, gastroenterology, general practice, haematology, intensive care, obstetrics and gynaecology and paediatrics. Due to his medical background, Vinit is often instructed in cases involving significant medical complexity.

### PERSONAL INJURY

Vinit has experience of conducting a wide range of personal injury claims. Examples include injuries obtained on operating tables; claims arising from contact allergies and a claim for injury associated with an acutely paranoid patient jumping out of a second floor hospital window.

### PUBLIC INQUIRIES AND FATAL

### ACCIDENTS

Vinit has extensive experience in conducting inquiries in a non-adversarial setting. Vinit has vast experience of attending Fatal Accident Inquiries in Scotland. He is one of the most experienced practitioners at the Scottish Bar in relation to Fatal Accident Inquiries having appeared at over 20 such Inquiries since 2000.

### SIGNIFICANT CASES

#### **FAI into the death of Andrew Logan (2015)**

Instructed for Scottish Ambulance Service. It concerned the alleged delay in retrieving an elderly man who was ultimately found to have a ruptured abdominal aortic aneurysm. Leading experts in vascular surgery, intensive care and also expert paramedics gave evidence.

#### **FAI into the death of Kathryn Beattie (2012-**

**2014)** Instructed for the Health Board in this high profile FAI which ran over the course of about two years. It concerned the circumstances surrounding the death of a 13 year old girl with acute leukaemia. Leading experts in leukaemia research, haematology, neuroradiology and neurosurgery all gave evidence.

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## SIGNIFICANT CASES

**CD v East Suffolk and North Essex NHS Foundation Trust (2021)** Instructed for defendant. Negotiated pre-trial settlement in multi-million pound birth injury case.

**XY v Kings College Hospital NHS Foundation Trust (2020)** Instructed for defendant in a very complex high value birth injury case involving a pre-term delivery expedited due antepartum haemorrhage caused by placenta praevia.

**DW v University Hospitals of North Midlands NHS Trust (2021)** Instructed for defendant in a case of alleged delay in treatment of a joint infection following knee replacement surgery resulting in amputation of the leg. Preliminary trial on limitation: <https://www.bailii.org/ew/cases/EWHC/QB/2021/2164.html>

**AB v Mid Essex Hospital NHS Trust (2021)** Instructed for defendant in a case of alleged delay in diagnosis of keratoconus resulting in severe, bilateral visual deficit in a child. Complex issues of causation over a number of years.

**AD v Oxford University Hospitals NHS Foundation Trust (2021)** Instructed for defendant in a mesh litigation claim involving both a consent case and allegations of negligent performance of surgery.

**SM v University Hospitals Coventry and Warwickshire NHS Trust (2021)** Instructed for defendant in a case of alleged delayed diagnosis and treatment of a rare bowel condition resulting in serious injury and permanent ileostomy. Allegations against a number of doctors with complex causation issues at different points of alleged negligence.

**MJ v University Hospitals of North Midlands NHS Trust (2020)** Mediated settlement on behalf of defendant in a fatal claim following the alleged delayed diagnosis of cervical carcinoma.

**PP v University Hospitals Southampton NHS Foundation Trust (2021)** Instructed for defendant in a fatal claim following an alleged delayed diagnosis of epiglottitis. Claims against several doctors of different specialities with complicated causation issues.

**FAI into the death of David Tweedie (2012)** Instructed by the Health Board in relation to a death following elective surgery where concerns about the availability of medical information in paper form and on computer was an issue.

**FAI into the death of Mary MacAuley (2011)** Instructed by the Scottish Ambulance Service in relation to the death of a lady in her home in unusual circumstances.

**FAI into the death of Irene Hogg (2009)** Instructed by Scottish Borders Council in a high profile case involving the suicide of a primary school head teacher following a school assessment.

**FAI into the death of Gordon Ewing (2009-2010)** Instructed by the Health Board in relation to the death of young man during anaesthesia for elective surgery on his little finger.

**Jack v Borders Health Board (2017)** For the defenders in an alleged acceleration of back pain case following injury.

**O'Neil v Greater Glasgow Health Board (2014)** For the defenders in this personal injury action involving a head injury caused by a fall in the course of employment.

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**Stewart v Greater Glasgow Health Board** Instructed for the defenders in this action concerning the acquisition of hospital acquired infections (MRSA and C-diff).

**Brown v Tayside Health Board (2012)** Acted for the defenders in this latex allergy case.

**McCuish v Highland Health Board (2011)** Acted for the defenders in an action involving injuries sustained by a nurse as a result of an assault by a violent patient.

**Scottish Mesh Litigation (2014 to date)** Instructed for the NHS defenders in one of the largest group actions in Scotland. There are currently over 400 cases in this group.

**Melissa Malone v Greater Glasgow Health Board (2016)** Acted for the defenders in this clinical negligence proof where an alleged delay in diagnosis resulted in a stroke for the young pursuer. This case involved an attempted extension of the Montgomery decision in relation to informed consent.

**Leadbetter v Tayside Health Board (2016)** Acted for the defenders in this action of surgical negligence involving a laparoscopic cholecystectomy.

**Deborah Young v Borders General Hospital (2015 to 2016)** Instructed for defenders in this preliminary proof on timebar in a medical negligence case.

**Honisz v Lothian Health Board (2008 SC 235)** Acted for the defenders in this leading medical negligence case in respect of loss sustained as a result of infection following arthroscopy of the knee.