



Bradley John-Davis



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Bradley accepts instructions across all of Chambers' core areas of practice, with a particular interest in insurance and reinsurance, construction, commercial matters, professional negligence, property damage, and personal injury.

He is a robust court advocate with a busy court practice and is instructed in the County Court most days of the week for fast track hearings, applications, CCMCs, disposal hearings, small claims hearings (including road traffic accidents, credit hire claims and contractual disputes), MOJ Stage 3 hearings, and infant and protected party approval hearings. Since the beginning of his second six in April 2023, he has been instructed in over 100 interim and final hearings. Within a few weeks of beginning his second six, Bradley was also instructed on a case management matter in the High Court (KBD) before Soole J, in which he successfully resisted an attempt by a claimant to have a contribution claim heard separately to the main action.

Alongside his Court work, Bradley is developing a strong drafting and advisory practice and is regularly instructed to draft statements of case and to advise solicitors and insurers. He accepts instructions for disputes of all types but has particular interest and experience in professional negligence, property damage, commercial, insolvency and construction matters.

Bradley has considerable experience in both claimant and defendant work, with particular claimant-side experience in drafting statements of case in subrogated recovery claims for property damage.

Currently, Bradley is instructed on an ongoing basis as junior counsel by the Claimants in *Município de Mariana and others v BHP Group* (the Fundão Dam disaster litigation) in their class action for damages caused by the collapse of the Fundão Dam in Brazil. The Fundão Dam disaster was Brazil's worst ever environmental disaster and its litigation is the largest class action ever brought in the England and Wales jurisdiction, being brought by over 700,000 Claimants.

Bradley holds a first-class degree from Merton College, Oxford, in Modern Languages & Literature (French & Spanish). He achieved a distinction at GDL and Outstanding in the Bar Course, for which he was also awarded a Queen Mother Scholarship by Middle Temple. He completed an LLM alongside the Bar Course and attained a distinction for his dissertation on contractual construction.



Prior to converting to law, Bradley spent 15 years working in commercial and operations roles in the travel and tourism industry. He specialised in setting up and running operations offices for multinational tour operators across Africa and Latin America. His last role before commencing pupillage involved the restoration and marketing of an ancient trail dissecting the Himalayan Kingdom of Bhutan. Because of his extensive background in business, he prides himself on an ability to adopt a common-sense, commercial approach to advice and litigation alike.

Bradley's international experience in the travel industry prior to call to the Bar positions him perfectly to accept advisory and advocacy instructions in travel litigation, overseas accidents and jurisdictional issues as well as in commercial and regulatory matters relating to the travel industry.

Bradley speaks English and Spanish bilingually and is happy to accept instructions in either language. He also speaks good French and basic German.

Insurance & Reinsurance

Recent examples of Bradley's own work in the insurance field include:

- Representing a defendant insurer in an judgment enforcement action brought under section 151 of the Road Traffic Act 1988 and in which the identity of defendant's insured vehicle was disputed.
- Advising an insurer on the merits of an additional claim for indemnity against a co-defendant in a professional negligence claim.
- Advising a claimant on matters of coverage and limitation in respect of a critical illness policy.
- Resisting a strike-out application by a defendant and securing a one-month stay for a claimant in an unidentified driver motor insurance claim.

Additionally, seats with David Myhill and James Sharpe during pupillage gave Bradley a broad introduction to a wide range of insurance work. Examples of his insurance work during pupillage included:

- Drafting a skeleton argument for an application for a stay for arbitration in a business interruption insurance claim (during pupillage).
- Advising on a dispute between an insurer and its broker over failure to place a reinsurance treaty (during pupillage).
- Advice for a developer on the coverage and interpretation of restrictive covenant policy (during pupillage).
- Drafting a position statement for mediation in a case involving a claim against a jewellers' block policy with elements of insurance fraud (during pupillage).
- Drafting a defence in a cavity wall insulation claim (during pupillage).
- Advising on matters of coverage in respect of an injury sustained by a casual worker assisting a defendant company with renovation work (during pupillage).

Construction & Engineering

Examples of Bradley's recent work in the construction and engineering fields include:

- Currently, Bradley is instructed as junior counsel and on an ongoing basis by the Claimants in
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Munícipio de Mariana and others v BHP Group (the Fundão Dam disaster litigation) in their class action for damages caused by the collapse of the Fundão Dam in Brazil. The litigation turns in part on complex matters concerning the design, maintenance and safety of a major upstream iron ore tailings dam.

- Advising a construction client in respect of an allegedly “genuine dispute” raised by a company in response to a Statutory Demand and as a defence to a winding-up petition.
- Drafting a defence and advising on strategy in a claim brought against consumers by a defendant main contractor in respect of alleged failure to pay project management fees contractually agreed for the provision of a domestic two-storey extension.
- Drafting a defence and advising in a claim brought against a sub-contractor in respect of works undertaken to resurface a pavement on the instructions of a Local Authority. The Claimants alleged that the work in question had raised the level of the pavement surface and caused flooding at their property adjacent to the highway.
- Drafting particulars of claim on behalf of an employer seeking to recover damages of nearly £80,000 from a sub-contractor in a corporate refurbishment project. The sub-contractor was responsible for the installation and subsequent failure of a HVAC system which caused a glycol leak and resulted in considerable property damage.
- Settling a defence in a claim brought by a main contractor against a homeowner in respect of monies due under a contract.

Commercial

A seat with James Sharpe during pupillage exposed Bradley to a wide range of general commercial work. As part of his LLM, Bradley wrote a dissertation on the Supreme Court’s developing view of contractual construction and so he has a particular interest in matters of interpretation.

Recent examples of Bradley’s own work in the commercial and insolvency fields include:

- Advising a construction client in respect of a “genuine dispute” raised by a company in response to a Statutory Demand and as a defence to a winding-up petition.
- Drafting a defence and counterclaim for a large poultry processor in a breach of contract claim brought against it by a former supplier of broilers.
- Advising severally on questions of offer and acceptance and whether binding agreements have been formed between parties.
- When acting on behalf of a salvage dealer in a sale of goods matter, securing strike-out of a claimant’s claim for damages.
- Advising a claimant on the merits of a claim in contract against the installer of a gas boiler, the installation of which was alleged to have caused a water pump to fail.
- Being instructed severally on wind-up petitions listed in the Chancery Division.
- Being instructed on behalf of a Premier League football club to file a bankruptcy petition in respect of one of the club’s debtors.

Examples of his general commercial work during pupillage included:

- Advising on matters of interpretation and the effect of exclusion clauses in respect of a contract for the hire equipment for use in warehousing (during pupillage).
- Drafting a skeleton argument for the respondent to a summary judgment application in a claim

involving high-value commercial leases (during pupillage).

- Conducting in-depth research on the effect of shareholder authorisation on a director's breach of duty in respect of a complex and high-value claim brought by a company against its former directors (during pupillage).

Professional Negligence

Bradley is developing a strong drafting and advisory practice in the professional negligence field. The matters he advises on often have a property angle and involve multiple defendants. His recent instructions include:

- Drafting a defence and advising on strategy in contract claim brought against an estate agent by his landlord client.
- Drafting a defence to a claim brought in respect of a negligent conveyance by a partner prior to merger with the defendant successor firm.
- Advising an insurer and its property management client and drafting a defence in a claim brought against a landlord and his property manager in respect of disrepair in a luxury flat in south west London.
- Drafting a defence and advising an insurer in a claim brought against multiple defendants by a leaseholder against a property management company in negligence and malicious falsehood.
- Drafting a defence and advising an insurer in a claim brought by a landlord against his estate agent over an allegedly mis-sold insurance policy.

During his pupillage seat under the supervision of James Sharpe, Bradley was exposed to a number of aspects of James's professional negligence practice. Work completed in this area during pupillage included:

- Drafting a defence to a claim brought by the purchasers of a business against an LLP and one of its members in respect of allegations of negligence in failing to detect fraud in the business's accounts (during pupillage).
- Drafting a defence and advising on limitation in a professional negligence claim brought against a provider of wealth management services (during pupillage).
- Advising on the enforceability of a settlement agreement in the context of a professional negligence claim brought against a firm of solicitors (during pupillage).

Property Damage

Bradley has considerable experience in property damage claims, including:

- Advising a Claimant on prospects of success in a complex multi track claim brought in respect of two episodes of subsidence damage alleged to have been caused by tree roots emanating from adjoining land owned by the defendant Local Authority.
- Settling a defence in a claim brought by a Local Authority against a service provider in respect of a flood alleged to have caused circa £100,000 of property damage at a school.
- Drafting a defence in a multi-party claim brought by a ground-floor tenant in commercial premises against the building's second-floor tenant for property damage caused by a water leak.
- Drafting a reply to defence in a substantial claim brought by a consumer against a gardening

company for damage to sheet glass in his patio doors. The matter engaged principles of unfair terms in consumer contracts.

- Drafting particulars of claim in a series of fire and flood damage subrogated recovery actions.
- On behalf of a landlord, settling particulars of claim in respect of property damage resulting from a fire which broke out in an electricity substation located in the basement of a building in Central London.
- Drafting particulars of claim in an action brought by a railway maintenance corporation against a contractor for over £55,000 of damage negligently caused to a gantry crane.
- Defending a Local Authority in a claim involving damage to a headstone at one of its graveyards.

Additionally, during pupillage, Bradley undertook work in the following areas:

- Drafting particulars of claim for a parish council in an action brought against a sole trader alleged to have negligently caused fire damage to the roof of a building (during pupillage).
- Advising on several matters, including on issues of contribution, res judicata, and abuse of process, in a claim involving water damage to a luxury vehicle (during pupillage).
- Drafting a reply to a defendant's defence in a case involving an allegedly faulty water pump which flooded a luxury Central London property (during pupillage).

Personal Injury and Clinical Negligence

During pupillage seats first with David Myhill and later with Helen Pagett and Jack Macaulay, Bradley was exposed to a wide range of clinical negligence and personal injury claims, including claims with an element of fraud and/or fundamental dishonesty.

Examples of his work include:

- Instructed by NHS Resolution to draft a defence to a claim brought in respect of a total hip replacement which the Claimant alleged was not indicated and incorrectly consented.
- Drafting a defence in a claim relating to a trip and fall on a private right of way which had been wrongly brought under the Occupiers' Liability Act 1957 (during pupillage).
- Advising an insurer on a claim brought against a construction company by a claimant purporting to suffer from HAVS, including on matters of fundamental dishonesty (during pupillage).
- Drafting a counter-schedule and giving advice on settlement parameters in case involving a delayed breast cancer diagnosis with complex issues of causation (during pupillage).
- Advising on matters of coverage in respect of an injury sustained by a casual worker assisting a defendant company with renovation work (during pupillage).
- Advising on questions of dishonest exaggeration of quantum in respect of a workplace injury claim (during pupillage).
- Drafting a without-prejudice counter-schedule for the settlement of a complex claim brought under the Fatal Accidents Act 1976 (during pupillage).
- Advising on the likelihood of success of a claim brought against a major retailer by a former employee for injuries sustained whilst working in its warehouse (during pupillage).
- Advising on quantum and settlement parameters in a complex clinical negligence claim involving questions as to the correct method for valuing the claimant's business (during pupillage).



Travel: Overseas Accidents and Jurisdictional

Having worked in the travel industry for over 15 years and across five continents prior to becoming a barrister, Bradley is ideally positioned to accept instructions in travel litigation, overseas accidents and jurisdictional issues. His hands-on operational experience includes risk assessments (including of accommodation and of high-risk activities), drafting of safety policies, training of tour guides and suppliers, and emergency responses to serious or fatal accidents overseas.

Travel: Commercial and Regulatory

Over the course of Bradley's 15-year international career in the travel and tourism industry, he gained exposure to a broad range of commercial and regulatory issues and disputes, both in the United Kingdom and overseas. As a result, he is well positioned to advise all types of stakeholder on practical, common-sense approaches to commercial and regulatory matters within a specific industry context.

Qualifications

- BA, Modern Languages & Literature (French & Spanish – First Class), Merton College, University of Oxford
- GDL (Distinction), Cardiff University
- BTC & LLM (Outstanding, with Distinction in LLM), Cardiff University