



James Medd



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James Medd

Call 1985

"His advice is clear, honest and realistic – simply brilliant at the job."
(Legal 500, 2021)



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James Medd's practice focuses on claims relating to insurance, property damage, product liability and construction. He is consistently ranked in the major legal directories as a leading junior in these fields.

He has considerable experience of the insurance and liability aspects of fires, explosions, floods and personal injury accidents particularly those occurring on construction sites.

Many of his cases involve more than one party and include questions of insurance, professional and other negligence, sale of goods law and contribution.

Construction & Engineering

Many of the fire, flood and property damage cases with which James is instructed are in the context of construction disputes.

Selected Cases

- £600,000 claim against Civil Engineers in respect of allegedly drainage design which resulted in properties on a development flooding
- £2m claim in respect of allegedly defective vibropiling
- £750,000 claim for defective installation of heat source piping at a site in Oxfordshire
- £3.5m claim for contribution in respect allegedly defective design and construction of a gantry in marine engineering premises in the Isle of Wight

Insurance & Reinsurance

Much of James' practice involves acting for and against insurers on issues of policy interpretation, particularly in claims arising from Contractors All Risk Insurance, Property Policies and Liability Insurance.

Selected Cases

- Successfully represented insurers who, in view of the terms of the Third Parties Rights Against Insurers Act 2010, refused to disclose a copy of their insured's liability policy to a company who sought it by way of a pre-action disclosure application before the insured had become insolvent.
- Acted for AXA against Ted Baker in commercial insurance coverage and quantum dispute concerning a claim for £1.8m business interruption losses consequent upon fidelity losses.
- Advised PL insurer on double insurance and as to whether they could claim contribution from another liability insurer in respect of an accident to a school pupil on an artificial ski slope in which the pupil suffered significant head injuries.
- Advice to Employer's Liability insurers on whether they could recover contribution from a public liability insurer in respect their insured's liability for personal injuries suffered by an employee
- Advising PL insurers as to whether they were liable to indemnify their insured for serious head injuries sustained by a sub-contractor
- Advised in reinsurance dispute involving in excess of £1m
- Acting for insurers in £4m personal injury claim, advising on validity of policy avoidance by co-Defendant's employer's liability insurers
- Advice to property insurers in respect of entitlement to avoid a policy for misrepresentation: serious fire claim
- Advice to CAR insurers and RTA insurers on liability to pay defence costs of criminal prosecutions
- Advice to road traffic insurers on policy interpretation; very serious personal injury claim
- £3m claim on multiple ATE and BTE insurance policies
- Acting for excess of loss insurers in multi-million pound dispute over policy coverage for M&E engineers sued for alleged defects in design of air-conditioning and smoke management of development in Grand Cayman
- £2.5m Contractors All Risk Insurance dispute in respect of damage to contract works by fire in circumstances where the employers' property insurers had already paid for reinstatement
- Advised product liability insurers in breast implant litigation

Product Liability

James is regularly instructed in cases involving property damage and injuries caused by allegedly defective products and products that are alleged not to be fit for purpose. Recent cases have included products ranging from bottles of oven cleaner, electrical components, white goods, rubber seals, gas heaters, ladders and bicycles. They often involve several parties and legal issues such as the Consumer Protection Act, sale of goods, negligence and contribution.

Selected Cases

- £1m + claim for explosion allegedly caused by defective gas heater. Damage to property and personal injuries sustained. Multiple parties.
- Claim under the CPA by an infant who was able to remove the child resistant cap off a bottle of oven cleaner and drink some. The bottle had been recalled but then put back on the market by those entrusted with destroying it.
- Acted for employer in claim for contribution brought by employer against manufacturers and

suppliers of an adhesive, the use of which caused the death of the employer's employee when he was installing a floor.

- Advising water heater manufacturer in connection with multi-million pound dispute arising out of alleged defective rubber seals supplied to them by a third party which caused the water heaters to leak in service.
- Flood claim for over £600,000 brought by insurers of wealthy home owner whose house was flooded by a leaking pressure regulating valve.
- Acting for an electrical component manufacturer and supplier in £8m claim said to arise from an electrical flashover in high voltage switchgear in an oil refinery.
- Acted for electrical component manufacturer and supplier in a multi-million pound claim brought by a well-known chemist arising out of a fire at one of its stores.

Professional Liability

He has considerable experience in acting for and against professionals, particularly structural, geotechnical and consulting engineers.

Selected Cases

- £600,000 claim against Civil Engineers in respect of allegedly drainage design which resulted in properties on a development flooding
- £2m claim in respect of allegedly defective vibropiling
- £750,000 claim for defective installation of heat source piping at a site in Oxfordshire
- £3.5m claim for contribution in respect allegedly defective design and construction of a gantry in marine engineering premises in the Isle of Wight

Property Damage

James is regularly instructed by insurers on both sides of claims arising from property damage often caused by fires and floods.

Selected Cases

- Successfully defended a contract claim brought by property owners for damage from a fire which started when contractors were carrying out work in the roof space (Ball Ponds Securities v Envirocure Limited and others TCC Soole J. July 2016)
- £500,000 claim against Water Authority in respect of damage to a slope alleged to have been caused by a leaking sewage pipe
- £250,000 fire claim arising from alleged hot works in a roof space
- £1m claim for flood damage caused by blocked drains on construction site in Swansea
- Acted for parties to separate claims for damage caused by Japanese knotweed and asbestos contamination
- £380,000 claim for damage to an MRI scanner, which was dropped from a crane. CPA conditions
- £3m Chip shop fire in Glasgow

- Multiple flooding incidents in Wales resulting from inadequate sewage-treatment works
- £800K claim for fire damage to a train following allegedly defective overhaul of engine
- Acting for multi national electrical component manufacturer in multi party fire claim in a Boots shop involving in excess of £11m.
- Acted for property insurers in claim for £250,000 arising out of a fire caused by a faulty electrical consumer unit.

Civil/Insurance Fraud

EL/PL fraud

James does a lot of advisory work in connection with the policy coverage aspects of EL and PL claims. Although these do occasionally also involve advice on the underlying claim brought by the injured person, this is not usually the primary focus of his instructions.

James' personal experience is that fraudulent EL/PL insurance policy claims are rare, but the legal principles are the same as other insurance fraud claims.

Third Party Property Damage

James' primary area of expertise is property damage claims involving fires and floods. He is also currently engaged by one insurer who is rebutting CWI claims on policy grounds.

Recent cases include:

- James is currently instructed by insurers who are defending a claim by a man whose house was destroyed by a gas explosion from a gas heater supplied by the Defendant. The Claimant also suffered injuries. James has pleaded fundamental dishonesty on the basis that the Claimant has not told the truth about how the explosion occurred, about the circumstances in which the heater was installed and about his company's claim for lost profits.
- In 2021 James advised insurers about whether they could reject a claim brought by a householder on a property policy for the destruction of her home as a result of a fire, on the basis that the householder had started the fire deliberately. The claim was rejected and since James has heard no more about it, it is assumed that the rejection has not been challenged.
- In 2021 James also acted for insurers and successfully defeated a theft claim on a property policy in which he pleaded fraud, primarily on the basis that the theft did not take place at all and that documents provided in support were forged. The claim was dismissed when the Claimant did not comply with an order that it provide security for insurers costs.

Rankings

- Leading Junior in Insurance, Product Liability & Property Damage (Chambers & Partners 2023)
- Leading Junior in Insurance, Product Liability & Property Damage (Chambers & Partners 2022)
- Leading Junior in Construction, Insurance & Product Liability (Legal 500 2022)
- Leading Junior in Insurance & Product Liability (Chambers & Partners 2021)
- Leading Junior in Construction, Insurance & Product Liability (Legal 500 2021)

- Leading Junior in Insurance & Product Liability (Chambers & Partners 2020)
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- Leading Junior in Construction, Insurance & Product Liability (Chambers & Partners 2017)
- Leading Junior in Construction, Insurance & Product Liability (Legal 500 2017)
- Leader at the Bar in Construction, Insurance & Product Liability (Chambers & Partners 2016)
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- Leader at the Bar in Construction, Insurance & Product Liability (Chambers & Partners 2014)
- Leading Junior in Construction, Insurance & Product Liability (Legal 500 2014)
- Leading Junior in Construction, Insurance and Product Liability (Legal 500 2013)
- Leader at the Bar in Construction, Insurance & Product Liability (Chambers & Partners 2012)
- Leader at the Bar in Construction, Insurance and Product Liability (Chambers & Partners 2011)
- Leading Junior in Construction, Insurance and Consumer & Product Liability (Legal 500 2011)
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- Leader at the Bar in Construction and Product Liability (Chambers & Partners 2009)
- Leading Junior in Insurance and Consumer & Product Liability (Legal 500 2009)

Qualifications

- Queens College Cambridge (1981 – 1983)
- Winchester College Scholar (1975 – 1980)

Memberships

- COMBAR
- LCLCBA
- PIBA
- PNBA
- TECBAR

Recommendations

"James Medd has excellent attention to detail and technical knowledge."
Chambers & Partners, 2024

"He is excellent. Very thorough, hands on, detailed, responsive, very strategic and first rate in his handling of clients."
Legal 500, 2024



He is able to understand technical information from clients. He's great at strategy and gives sensible, understandable advice."

Chambers & Partners, 2022

"Strengths: responsiveness; immediate grasp of complex issues which he can then explain in layman terms if necessary; really good with clients in conference; has a lovely manner with clients; and turns paperwork around quickly."

Legal 500, 2022

"He is good at distilling down property damage work with complex underlying technology, product or construction issues."

Chambers & Partners, 2022

"My go-to barrister for indemnity work. He is efficient, can see the wood for the trees, and produces clear and structured advice on the most complicated legal problems."

Legal 500, 2021

"Very good to work with and grasps the background circumstances and the technical elements of complex matters."; "He offers practical solutions and brings an element of clarity to his advice." "He's very thorough and masters the facts."

Chambers & Partners, 2021

"His advice is clear, honest and realistic – simply brilliant at the job."

Legal 500, 2021

"Very experienced and an extremely safe pair of hands."

Chambers & Partners, 2020

"Excellent all round."

Chambers & Partners, 2019

"A class act."

Chambers & Partners, 2018

"He has a capacity for obtaining a thorough grasp of complex information and documentation in high-value cases and of adding considerable value to the case and overall client strategy."

Chambers & Partners, 2018