



David Bradly KC

Year of call: 1987 | Silk: 2022

Email: david.bradly@39essex.com

Phone: +44 (0)20 7832 1111

"Exceptional advocate who regularly assists both regulators and professionals in the healthcare sector. He is highly regarded for his deft handling of complex cases involving regulatory bodies such as the GMC, GDC and RCVS." Chambers and Partners

As a junior prior to taking silk in 2022, David was consistently ranked as a Star Individual by Chambers and Partners in the regulatory and disciplinary field. In addition to appearing in appeal hearings in the Administrative Court and the Privy Council and in applications for judicial review, David appears for regulators, registrants and corporate in the heavier, more complex cases before disciplinary tribunals across the range of professions, including all of the health care professions, the professions involved with animals (veterinary surgeons and farriers) and the accountancy and legal professions. David also advises regulators and professionals upon the interpretation of statutes and rules in both a disciplinary and a commercial context. David has appeared on behalf of parties in public inquiries and, as a former soldier, David is also instructed to advise and represent servicemen and former servicemen in relation to disputes arising out of their military service.

Areas of expertise

Regulatory and Disciplinary

Inquiries and Investigations

Personal Injury and Other Military Claims

Regulatory and Disciplinary

David acts for healthcare and other regulators as well as registrants in the more substantial, complex and high-profile cases heard by disciplinary tribunals. His advisory work includes the interpretation of regulators' statutes, statutory instruments and rules in relation to jurisdiction, powers and other issues of profession-wide significance, both on the instruction of the regulators, registrants, and corporate entities in disciplinary, regulatory, public law and commercial contexts.

Cases of note:

- *Sheikh v General Dental Council [2007] EWHC 2972 (Admin)* Remains a leading authority

on the circumstances in which an interim order can be imposed by a disciplinary tribunal “otherwise in the public interest”.

- **Professional Standards Authority for Health & Social Care v Nursing & Midwifery Council & Macleod [2014] EWHC 4354 (Admin)** Considered a disciplinary tribunal’s failure to take full account of the reasons for the registrant’s misconduct in the context of procedural irregularity.
- **Professional Standards Authority for Health & Social Care v General Medical Council & Uppal [2015] EWHC 1304 (Admin)** Considered the limited circumstances in which a registrant’s dishonesty may not impair that registrant’s fitness to practise.
- **Professional Standards Authority for Health & Social Care v Nursing & Midwifery Council & Jozi [2015] EWHC 764 (Admin)** Considered the Administrative Court’s interim powers in appeals under section 29 of the National Health Service Reform and Health Professions Act 2002.
- **Craig v Farriers Registration Council [2017] EWHC 707 (Admin)** The only appeal to the High Court under the Farriers (Registration) Act 1975 considered the powers of the disciplinary tribunal, including whether that tribunal was able to exercise powers not provided for in the act in the context of a statute designed principally for the protection of horses.
- **Professional Standards Authority for Health & Social Care v Nursing & Midwifery Council & X [2018] EWHC 70 (Admin)** Considered the interpretation of the regulator’s rules and the circumstances in which the regulator could call no evidence and in which the disciplinary tribunal could find that there was no case for a registrant to answer.
- **Professional Standards Authority for Health & Social Care v General Dental Council & Hussain [2019] EWHC 2640 (Admin)** Considered the disciplinary tribunal’s decision to restore the registrant to the register when the regulator had agreed not to put relevant evidence before the disciplinary tribunal.
- **Professional Standards Authority for Health & Social Care v Health & Care Professions Council & Roberts [2020] EWHC 1906 (Admin)** Considered the circumstances in which the fitness to practise of a registrant whose misconduct included racist behaviour towards a patient would not be impaired.
- **Elefterescu v Royal College of Veterinary Surgeons [2020] PC 6** Appeal to the Privy Council including wide challenge to the factual findings of the disciplinary tribunal by a registrant whose misconduct included serious clinical errors and dishonesty.

Recommendations

"David has excellent attention to detail." Chambers and Partners 2023

"David is really easy to work with; he is intelligent and approachable." Chambers and Partners 2023

"David is an excellent advocate. He is able to present often complex issues in a clear and understandable way. He is always very well prepared and knows his case inside out." The Legal 500 2023

""Well liked by panels, clients and opponents for his fair and balanced approach. He is a persuasive advocate and remains one of our first ports of call for complex, sensitive and high-profile cases." Chambers and Partners 2020

""Persuasive and scrupulously even-handed." The Legal 500 2020

Memberships

- Association of Regulatory and Disciplinary Lawyers

- Personal Injury Bar Association
- Association of Personal Injury Lawyers
- Justice
- 6th Gurkha Rifles Regimental Association

Qualifications

Education

- Royal Military Academy Sandhurst 1983 - 1984
- LLB (Hons) 1983

Scholarships and Prizes

- Everard Ver Hayden Prize in Advocacy, Inns of Court School of Law, 1987

Appointments

- Recorder (from 2018)

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

BARRISTERS • ARBITRATORS • MEDIATORS

clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com