



## Stephanie David

Year of call: 2016

Email: stephanie.david@39essex.com

Phone: +44 (0)20 7832 1111

*"Stephanie has a brilliant legal brain: she is able to see problems and work them through before arriving at the best answer."* The Legal 500 2024

*"An engaging, courageous advocate."* The Legal 500 2024

Steph has a multi-disciplinary practice focussing on matters affecting health, sport and the environment. She is ranked as a "rising star" in administrative law and human rights, as well as Court of Protection, and a "leading junior" in environmental law by The Legal 500. Her experience spans a wide range of work, from public interest judicial reviews, regulatory work to private law claims and commercial claims.

She holds degrees from the University of Cambridge and the London School of Economics, where she was awarded the prize for the best mark in the LLM in Human Rights (2014).

Steph is a regular contributor to the Journal of Environmental Law, LawInSport and Sport Resolutions. She has peer reviewed for the Australian and New Zealand Sports Law Journal.. She has also contributed to the latest edition of Wilmot-Smith on Construction Contracts (4th edition, May 2021),

## Areas of expertise

Administrative and Public

Commercial

Civil Liberties and Human Rights

Healthcare

Environment and Planning

Sport

Court of Protection and Medical Treatment

## Commercial

Steph has expertise in commercial matters, in particular those that intersect with her other specialisms such as healthcare and environmental matters. She has a particular interest in procurement, regulation of private entities, and commercial judicial review.

Notable recent instructions include:

- ***R (Good Law Project Limited) v Secretary of State for Health and Social Care* [2022] EWHC 2468 (TCC)** - As junior counsel for claimant in their procurement challenge to the award of contracts for the manufacture and supply of rapid Covid-19 antibody tests. The case raised a number of complex interlocutory matters, including (i) expert evidence; (ii) searches of private email and WhatsApp accounts held by the Secretary of State for Health ([2021] EWHC 2595 (TCC)), and (iii) costs of third-party disclosure ([2021] EWHC 2783 (TCC)).
- Sole counsel in an ad hoc arbitration relating to dispute arising from a service-level agreement.
- ***R (Hexpress Healthcare Ltd) v Care Quality Commission* [2023] EWCA Civ 238 and [2022] EWHC 2943 (Admin)** – As junior counsel to Daniel Stilitz KC, successfully represented the CQC in the Court of Appeal and High Court. Case considered the issue of when an interim injunction could be granted against a regulator with a statutory duty to publish an inspection report in circumstances where the regulated entity asserted that it would impact on their reputation and business interests. Judgment in the Court of Appeal and judgment in the High Court.
- Junior counsel assisting Adrian Hughes KC in advising on the effect of an agreement between parties as to the price for varied work in an architect's instruction and other matters arising from a construction contract (including notice requirements).
- Sole counsel advising a Premier League football club on a sponsorship agreement.
- Junior counsel assisting James Strachan KC in responding to an appeal brought by Berkeley Burke SIPP Administration Ltd, challenging the decision of Jacobs J ([2018] EWHC 2878 (Admin)), which considered the regulatory duties on Self-Invested Personal Pension ("SIPP") providers and administrators.
- ***Seadrill Ghana Operations Ltd v Tullow Ghana Ltd* [2018] EWHC 1640 (Comm)** - Junior counsel assisting Sean Wilken KC, Adam Robb KC and Stephen Kosmin in considering whether a provisional measure issued by ITLOS in Case No 23 between Ghana and Côte d'Ivoire was a force majeure within the contract for a deepwater drilling unit.
- Advising on the interpretation of Civil Aviation Authority guidance on hydraulic hoses, within the domestic and EU regulatory scheme.
- Junior counsel to Marion Smith KC advising on advance payment bonds and autonomous guarantees.
- As sole counsel, she successfully applied to strike out a Defence and have judgment entered for the Claimant for unpaid sums of nearly £45,000 due under a contract.
- Junior counsel to Jennie Thelen, advising a university on a breach of contract claim arising from their cancellation of a Bachelor degree course.
- Advising on auditor liability arising from accounts for a financial institution in the Caribbean.
- As consultant counsel to the Financial Ombudsman Service, she provided advice on jurisdictional and other matters, for example, in relation to SIPP operators and contractual transfers of business (including transfers of liability under the Financial Services and Markets Act s.234B).
- As sole counsel, she represented an employer in a claim arising from breach of a contract of employment turning on the oral variation of notice period.

## Memberships

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- Administrative Law Bar Association ("ALBA")
- Women in Sports Law ("WiSL")
- Court of Protection Bar Association ("CPBA")

- UK Environmental Law Association (“UKELA”)

## Qualifications

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### Education

- 2018, Asian International Arbitration Centre, Certificate in Sports Arbitration
- 2014-2016, City Law School, Bar Professional Training Course
- 2012-2014, Master of Laws, London School of Economics and Political Science (“LSE”), Distinction
- 2011-2012, City Law School, Graduate Diploma in Law, Distinction
- 2008-2011, Emmanuel College, University of Cambridge, Human, Social and Political Sciences, MA Hons (Cantab)

### Scholarships and Prizes

- 2014 – Prize for best mark in LLM in Human Rights at the London School of Economics and Political Science
- 2013 – UK Semi-Finalist in the Jessup Public International Law Moot
- 2012 – Lord Denning Scholarship, Honourable Society of Lincoln’s Inn
- 2009, 2010 – Senior Exhibition at Emmanuel College, University of Cambridge
- 2008 – Prime Minister’s Global Fellowship

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#### 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

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