

DAVID BRADLY

Year called 1987

david.bradly@39essex.com



“...charismatic but also has great knowledge of the facts and law in a case, and displays first-class judgement”

David Bradley's practice in the areas of regulatory and disciplinary law, clinical negligence and personal injuries has seen him appearing in the Courts (including the Administrative Court), at inquests, before a wide range of tribunals and committees and at public inquiries. As a former soldier David has an interest in cases involving the military. He has consistently been recommended in legal directories for his work in the regulatory field.

PRACTICE AREAS

- Clinical Negligence
- Personal Injury
- Public Inquiries
- Regulatory & Disciplinary

PRACTICE AREAS

CLINICAL NEGLIGENCE

David acts for both Claimants and Defendants (including hospital trusts and general medical practitioners) in clinical negligence actions and fatal accident claims arising out of medical advice and treatment. His cases have included wrongful birth, injuries at birth (including cerebral palsy and shoulder dystocia and injuries to the mother at caesarean section), brain injury (including catastrophic injuries), product liability

BARRISTERS · ARBITRATORS · MEDIATORS

(relating to the early HIV treatment AZT), failures in diagnosis and misdiagnosis, and have arisen out of the acts and omissions of doctors, nurses, dentists and physiotherapists. This expertise is complemented by the health sector regulatory work described below. David has represented families, hospitals and practitioners at inquests. In 2005 he appeared on behalf of relatives in the inquest held by Sir Richard Rougier sitting as a Deputy Coroner into the deaths of 11 dementia patients at Kingsway Hospital, Derby.

PERSONAL INJURY

David's personal injury practice includes public and employers liability work, claims involving local authorities (including those which concern the exercise by a local authority of statutory powers), sports injuries, claims arising out of holidays abroad, road traffic accidents (in particular resulting in head injury) and product liability. His cases have included catastrophic injuries (particularly acquired brain damage caused at work or in road traffic accidents), asbestos related claims including mesothelioma, deafness claims, claims arising out of exposure to hazardous substances (most recently benzene) and to vibration, claims for psychiatric injuries and appearances at inquests.

As a former soldier David has a particular interest in personal injury claims involving the military and has represented a large number of claimants in claims arising out of military service, including operational service. He has also appeared at inquests into deaths during military service.

Reported Cases:

Fowles v Bedfordshire County Council [1995] PIQR P380: Times, May 22, 1995

Campbell v Mylchreest [1999] PIQR Q17

Graham Morris Leesmith v Gordon Evans (QBD) [2008] EWHC 134 (QB)

PUBLIC INQUIRIES

In line with his interest in cases involving the military, between 1998 and 2004 David acted for military personnel in the Saville (Bloody Sunday) Inquiry, during the course of which he acted as a full time advocate in the oral hearings. More recently in 2013 he acted for a hospital consultant required to provide evidence to the Inquiry into Hyponatraemia related Deaths in Northern Ireland.

REGULATORY & DISCIPLINARY

David has considerable experience in professional regulatory proceedings, carrying out advisory and advocacy work on behalf of regulatory bodies and registrants in relation to proceedings in conduct, health and interim orders committees, in appeals to the High Court and the Privy Council and in claims for Judicial Review, in the health and care sector (including medicine, dentistry, nursing, pharmacy, optometry, osteopathy, chiropractic, psychology and counselling/analysis) and before the disciplinary tribunals of solicitors, accountants and veterinary surgeons. He has conducted Medicines Act

BARRISTERS · ARBITRATORS · MEDIATORS

prosecutions in the Magistrates' and Crown Courts. He has acted for and against Primary Care Trusts/NHS England in relation to National Health Service Medical Services, Dental Services and Pharmaceutical Services Contracts, in both the regulatory/disciplinary context (in the First Tier Tribunal and the Family Health Services Appeal Unit of the National Health Service Litigation Authority and in proceedings for Judicial Review) and in a non-contentious commercial context. This non-contentious advisory work also includes advice to legal entities on the regulatory framework applicable to proposed commercial activities.

In recent years David has consistently been recommended in the Legal 500 and Chambers & Partners directories in respect of his disciplinary and regulatory work. He was shortlisted by Chambers & Partners for their Disciplinary Junior of the Year award in both 2014 and 2015.

David is a contributor to Cordery on Legal Services.

Reported Cases:

Whitechurch -v- Royal Pharmaceutical Society of Great Britain (1998) BMLR 46

Korsner -v- Royal Pharmaceutical Society of Great Britain LTL 19/02/99

Jones -v- Royal College of Veterinary Surgeons 2000 PC LTL 30/11/00

R (on the application of Doctors Pal, Rahman and Hoq) -v- Haringay Teaching Primary Care Trust [2007] EWHC 584 (Admin)

Shiekh -v- General Dental Council [2007] EWHC 2972 Admin (interim suspension orders)

Walker -v- Royal College of Veterinary Surgeons [2007] UKPC 64 and [2008] UKPC 20

R (on the application of Thomson) -v- The General Chiropractic Council 17th Lloyd Jones J November 2008

Christopher Lovell Taylor v General Chiropractic Council [2009] EWHC 301

Barry Anthony Rimmer v General Dental Council [2011] EWHC 3438

R (on the application of Vali) v General Optical Council [2011] All ER (D) 280

R (On the Application of Ahmed) V General Optical Council [2012] EWHC 3699

Ramjan v General Dental Council [2012] EWHC 818 (Admin)

Hassan -v- General Optical Council [2013] EWHC 1877 (Admin)

Professional Standards Authority For Health & Social Care -v- (1) Nursing & Midwifery (2) Macleod [2014] EWHC 4354 (Admin)

Professional Standards Authority For Health & Social Care -v- (1) Nursing & Midwifery (2) Jozi [2015] EWHC 764 (Admin)

Booth -v- General Dental Council [2015] EWHC 381 (Admin)

Professional Standards Authority for Health & Social Care -v- (1) General Medical Council & (2) Uppal

BARRISTERS · ARBITRATORS · MEDIATORS

[2015] EWHC 1304 (Admin)

Professional Standards Authority -v- (1) Nursing and Midwifery Council & (2) Wilson [2015] EWHC 1887 (Admin)

Professional Standards Authority for Health & Social Care -v- (1) Health & Care Professions Council; and (2) Gemma Williamson [2015] EWHC 2420 (Admin) Blake J

Professional Standards Authority for Health & Social Care -v- General Medical Council & Igwilo [2016] EWHC 524 (Admin)

Craig -v- Farriers Registration Council [2017] EWHC 707 (Admin)

Professional Standards for Health and Social Care v Nursing and Midwifery Council & Apeaning [2017] EWHC 3573 (Admin)

Professional Standards for Health and Social Care v Nursing and Midwifery Council & X [2018] EWHC 70 (Admin)

RECOMMENDATIONS

"Always calm under pressure and very user friendly." Legal 500

"He is very bright and is able to see the bigger picture" Chambers & Partners 2015

"He is great to work with and works incredibly hard" Chambers & Partners 2014

"A disarmingly personable prosecutor who is universally liked for his fair and balanced approach"
Legal 500

"David is a disarmingly personable prosecutor who is universally liked by panels, clients and opponents due to his fair and balanced approach. He is charismatic but also has great knowledge of the facts and law in a case, and displays first-class judgement" Chambers & Partners 2014

"First port of call on complex, sensitive cases," and combines *"charisma with an encyclopaedic knowledge of facts and law"* Legal 500 2013

"excellent prosecutor with an upfront approach." Chambers & Partners 2010

"engaging and approachable, maintaining calm under pressure" Legal 500 2009

"ticking all the boxes" *"exceptional at presenting things in a comprehensible way"* Chambers & Partners 2009

APPOINTMENTS

BARRISTERS · ARBITRATORS · MEDIATORS

- Recorder (Family Court on the Western Circuit)

QUALIFICATIONS

LLB (Hons) University of London 1983

Everard ver Hayden Prize for Advocacy, Inns of Court School of Law 1987

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,
32 Maxwell Road,
#02-16,
Singapore 069115
Tel: +(65) 6634 1336

KUALA LUMPUR

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

BARRISTERS · ARBITRATORS · MEDIATORS