

Year called 2016

james.bradford@39essex.com



James has a broad practice covering Chambers' specialisms in commercial litigation, international arbitration, construction, financial services and public law.

James has developed an international practice with a keen focus on international arbitration work. He has been involved in different high-value international arbitration matters during pupillage and since, which have raised issues relating to various jurisdictions within Europe, the Middle East and offshore jurisdictions like The Bahamas. He has also gained experience in international commercial matters in domestic courts, having been instructed in relation to high value matters in the Chancery Division and Commercial Court.

He has also been involved in a number of high-profile public law matters including as junior counsel in the landmark constitutional decision *Privacy International v Investigatory Powers Tribunal* [2019] UKSC 22 (led by Sir James Eadie QC, Kate Grange QC and Catherine Dobson) and as junior counsel to the Infected Blood Inquiry.

Prior to practising at the Bar, James taught law at Oxford University, teaching various undergraduate subjects including Contract Law, Human Rights Law and European Union Law to students across different colleges.

He is bilingual in Italian and has experience working on different research projects with leading Italian academics: in particular, he has assisted Prof. Guido Alpa (Professor of Civil Law, La Sapienza Università di Roma) and Prof. Attila Tanzi (Professor of International Law, Università di Bologna).

PRACTICE AREAS

- International Arbitration
- Commercial & Construction
- Financial Services & Banking
- Administrative, Public & Regulatory
- Civil Liability

PRACTICE AREAS

INTERNATIONAL ARBITRATION

Both during his pupillage and since, James has gained experience of international arbitration matters. He is comfortable working within a larger team of barristers and solicitors on high value matters (both in construction and general commercial litigation) and has experience of matters relating to a number of different jurisdictions across Europe, the Middle East and offshore jurisdictions such as The Bahamas.

For instance:

- James is currently instructed in a high value international trusts arbitration (as junior counsel, led by Elspeth Talbot-Rice QC, Michael Black QC with Andrew Holden at XXIV Old Buildings Chambers).

This is an ongoing matter in which James has been instructed since early 2019. He has a particular interest in international trusts work.

- An international arbitration determining quantum in a large-scale construction dispute (assisting Rachael O'Hagan as part of pupillage).

Through the course of his work, James has gained extensive experience in drafting or assisting in the drafting of different pleadings and skeleton arguments for procedural applications, case management conferences and substantive matters. His experience also includes trial preparation including cross-examination preparation of factual and expert witnesses; substantive and procedural hearings; arbitral appeals and challenges.

During his pupillage in January 2018, James was a member of the winning team from 39 Essex Chambers in the Worshipful Company of Arbitrators Mediation Skills Competition 2018.

COMMERCIAL & CONSTRUCTION

James has developed a broad commercial practice, with a particular interest in work with an international element. He has broad experience in advising and/or preparing a range of different procedural applications (including a freezing injunction, security for costs, amendments to statements of claim, a counterclaim application and permission for expert evidence) in relation to Chancery Division or Commercial Court matters.

Recent instructions include:

- *PJSC Rosgosstrakh v Starr Syndicate Ltd & Others* (Commercial Court): junior counsel (led by Michael McParland QC and Samar Abbas Kazmi) for 20 reinsurers operating in the London market in resisting enforcement of a set of Russian judgments obtained by a Russian insurance company in relation to an aviation reinsurance policy.
- A high value debt claim in the Chancery Division (led by Elspeth Talbot-Rice QC with Ben Waistell at XXIV Old Buildings Chambers)
- Assisting with a freezing injunction application in the above high value debt claim in the Chancery Division litigation (led by Elspeth Talbot-Rice QC with Ben Waistell at XXIV Old Buildings Chambers)

James is also developing a practice in construction law more generally. He has a specific interest in guarantees and performance bonds and how they operate more widely in the construction context. He has been giving with

Alexandra Bodnar a number of training sessions and discussions with leading international law firms on recent developments in the construction bonds sector (with a particular focus on the recent decision in *Yuanda (UK) Company Ltd v Multiplex Construction Europe Ltd* [2020] EWHC 468). Alexandra and James have written on this topic and for further information see [here](#) (Part One) and [here](#) (Part Two).

He is a contributing editor to the forthcoming edition of *Wilmot-Smith on Construction Contracts* (focusing on the first chapter dealing with issues relating to construction contract formation). Prior to practising at the Bar, he taught (amongst other subjects) Contract Law to undergraduate students at the University of Oxford.

Further, as part of his pupillage, he has gained experience of drafting statements of case, advices and legal research notes in a variety of matters across the commercial and construction sectors including:

- Jurisdictional challenges in an adjudication (preparation of advice in relation to possible grounds for challenge and drafting the response to a referral notice);
- TCC proceedings concerning defective works on a domestic property (assisted in preparation and drafting of factually and legally complex defence to the claim made);
- A financial matter involving issues of misrepresentation and the Financial Services and Markets Act 2000 (drafting Particulars of Claim and short advice concerning various issues pertinent to the claim);
- The disclosure rules which had been proposed at the time in relation to the Business and Property Courts (drafting research note).

FINANCIAL SERVICES & BANKING

James is developing a practice in financial services and has gained experience in financial regulation: he is currently acting as consultant counsel to the Financial Ombudsman Service where he provides advice on a range matters in relation to the Financial Services and Markets Act 2000 as well as other issues.

ADMINISTRATIVE, PUBLIC & REGULATORY

James has been involved in a number of high-profile cases since being taken on as a tenant in 2018:

- Junior counsel for the Interested Parties in the Supreme Court hearing of *Privacy International v Investigatory Powers Tribunal* [2019] UKSC 22 (led by Sir James Eadie QC, Kate Grange QC and Catherine Dobson). The decision concerned the effect of s. 67(8) of the Regulation of Investigatory Powers Act 2000 as well as Parliament's ability to legislate to oust the High Court supervisory jurisdiction in certain circumstances. For more information click [here](#).
- Junior counsel to the Infected Blood Inquiry chaired by Sir Brian Langstaff.
- Junior junior instructed by the Government Legal Department, with respect to the judicial review challenge to the third runway at Heathrow.

During pupillage, James gained experience of a number of issues involving immigration and general administrative law disputes, including the following:

- Drafting an advice on the prospects and tactics to be used with respect to a Court of Appeal hearing concerning an application for permission to judicially review an immigration decision of the Home Office;
- Drafting a Notice of Objection to an application for permission to be heard at the Supreme Court, in a

case concerning Article 6 and Article 8 ECHR issues;

- Drafting a Notice of Objection to an application for permission to be heard at the Supreme Court in a matter concerning the ouster clauses and the amenability of the Investigatory Powers Tribunal to judicial review;
- Drafting a Notice of Objection to an application to reopen a decision of the Court of Appeal in light of a later decision of the Court of Appeal in *Ahsan v Secretary of State for the Home Department* [2017] EWCA Civ 2009.

He has also gained experience of a number of different regulatory matters during pupillage. Through his supervision and training, he has acquired experience of this sector by drafting a rule 11 determination in relation to an appeal before the Police Appeals Tribunal, a research note analysing the contractual implications of the membership terms of a medical defence organisation and a skeleton argument for a matter before the Health and Care Professions Tribunal Service. During pupillage, James also assisted with a case before the Architects Registration Board and attended a number of different regulatory tribunals including the General Osteopathic Council

CIVIL LIABILITY

James has experience appearing in county courts as sole counsel in a range of matters including disputes relating to: credit hire, quantification of damages in personal injury claims, road traffic accidents, employer liability, Occupiers' Liability Act and Highways Act claims.

During pupillage, James has been exposed to a broad range of civil law issues and as part of this, he has gained experience of drafting research notes, clinical negligence defences, particulars of claim and advices relating to clinical negligence and personal injury matters.

MEMBERSHIPS

Administrative Law Bar Association (ALBA)

QUALIFICATIONS

2016 – BPTC, BPP University (Holborn) – *Outstanding*

2015 – Bachelor of Civil Law, Jesus College, Oxford University – *Distinction*

2014 – BA in Law with Law Studies in Europe (Italian Law), Jesus College, Oxford University – *First Class Honours*

SCHOLARSHIPS & AWARDS

Lincoln's Inn

Shelford Scholarship, 2017

Buchanan Prize, 2016

Lord Denning Scholarship, 2014

Accommodation Award & Hardwicke Entrance Award, 2014

Law Faculty, Oxford University

Law Faculty Prize for Highest Mark in Comparative Public Law on the Bachelor of Civil Law degree, 2015

Law Faculty Prize for Highest Mark in Criminal Justice, Security & Human Rights on the Bachelor of Civil Law degree, 2015

Jesus College, Oxford University

Sankey Scholarship, 2015

College Prize for University Prizes & Achievement in University Examinations (BCL & Finals), 2015 – 2014

Peter North Award, 2014

Nikolas Tarling Scholarship for academic achievement, 2012

Lawrence Exhibition for academic achievement, 2012

First Year Law Prize, 2011

College Prize for Achievement in University Examinations (for achieving a Distinction in Law Moderations), 2011

ADDITIONAL INFORMATION

PREVIOUS EMPLOYMENT & EXPERIENCE

Lecturer in Law, Jesus College Oxford (2016 – 2017)

Tutor of European Union Law

(teaching undergraduates at Jesus College, Oxford & Regent's Park College, Oxford)

Lecturer in Law, Jesus College Oxford (2015 – 2016)

Tutor of Contract Law

(teaching undergraduates at Jesus College, Oxford)

Tutor of Human Rights Law

(teaching postgraduates and finalist undergraduates of the Law Faculty of Oxford University)

Tutor of Criminal Law

(teaching first year undergraduates at Jesus College, Oxford & Trinity College, Oxford)

Research Assistance & Italian Experience

James is bilingual in Italian.

He has worked as a Research Assistant to Professor Guido Alpa (Professor of Civil Law, La Sapienza University, Rome) and Professor Mads Andenas QC (Professor of Law, University of Oslo and former UN Special Rapporteur on arbitrary detention). James assisted in translating and editing Alpa & Andenas, 'Fondamenti del diritto privato europeo' ('Foundations of European Private Law') from the original Italian into English.

James also worked as a Research Assistant to Prof. Attila Tanzi, Professor of International Law, University of Bologna (edited the English translation of his book on International Law).

During 2012 – 2013, James went on an academic exchange to the Università degli Studi di Siena, Italy. He undertook courses in Constitutional Law, Institutions of Private Law, European Law and Comparative Public Law. The subjects were taught and examined in Italian.

Volunteering & Further Experience

James has previously volunteered at Liberty (2015 – 2016) as an Advice & Information volunteer. This involved responding to clients and providing practical advice.

In January 2018, James was a member of the winning team from 39 Essex Chambers in the Worshipful Company of Arbitrators Mediation Skills Competition 2018.

LANGUAGES

Italian (bilingual)

French (very good)

German (basic)

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