



# Ben Bradley

**Year of Call:** 2007

**Direct Access:** No

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Ben Bradley acts for Claimants and Defendants, in cases where individuals have suffered life changing injuries.

He is listed as a leading junior by the legal directories across his core practice areas of **personal injury**, **clinical negligence** and **travel law**. He has been recognised for his particular specialisms in catastrophic injury cases and complex medical negligence work.

His client care skills are frequently praised, being noted as someone who is able "to put clients at ease" and who "relate[s] well to his clients regardless of their intellectual ability".

Ben enjoys a busy practice, generally being instructed by the leading Claimant and Defendant firms in the country. During the lockdown period in 2020, he recovered in excess of £40m for various Claimants who had suffered various catastrophic injuries.

He is registered as one of Chambers' pupil supervisors.

## Areas of Expertise

### Personal Injury

Ben's personal injury practice cuts across a number of core sub-specialisms. His primary focus is in spinal cord injury and brain injury claims (acting both with leading counsel and alone).

He regularly acts for victims of **historic child abuse**; and for former members of the military who have suffered career-ending injuries.

Ben is regularly instructed to represent some of the country's leading race trainers and riding schools to defend personal injury/equine claims which are brought against them.

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## Notable Personal Injury cases

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### McPherson v Smith [2018] EWHC 1433 (QB)

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Successfully established primary liability against Defendant driver, who turn right across the Claimant motorcyclist's path. The Claimant suffered catastrophic spinal injuries as a result. Beat Part 36 offer made on the issue of liability. Instructed by Stewarts.

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### Young v AIG Europe [2015] EWHC 2160 (QB); J.P.I. Law 2016, 1, C34-C36

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C suffered Spinal Cord Injury in RTA causing paraplegia; followed by a stroke some weeks later. The issue was as to whether the stroke (causing hemiparesis) was caused by the index accident. With Gerard McDermott QC. Instructed by Stewarts.

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### A v The Trustees of the Watchtower Bible & Tract Society [2015] EWHC 1722 (QB); [2016] EWCA Civ 1026

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First historic sex abuse claim to be brought against the Jehovah's Witness Organisation. Ten day trial undertaken with James Counsell QC. Judgment was entered for the Claimant. The Defendant's application for permission to appeal was refused by the Court of Appeal, following (unusually) contested oral argument. Ben acted alone in the Court of Appeal. Instructed by AO Advocates.

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Re: CX

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£14m lump sum recovered on behalf of a child Claimant who suffered significant brain injury in an RTA. Led by Christopher Wilson-Smith QC and instructed by Stewarts.

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Re: GHI

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Settlement worth in excess of £16m capitalised with a liability discount (equivalent of c.£20m on a full liability basis) for an adolescent Claimant who suffered catastrophic brain injury in a RTA. With Eliot Woolf QC. Instructed by Scott-Moncrieff and Associates.

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Re: MXH

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Settlement worth c.£10m capitalised for an individual who suffered serious brain injury in an RTA. Complicating causation issues arising as a result of the Claimant's pre-existing MS. With Gerard McDermott QC. Instructed by Stewarts.

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Re: ZZZ

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£1m settlement for an adult Claimant with pre-existing learning disabilities. Complex care claim which arose as a result of him suffering minor (though not inconsequential) injuries, along with the loss of his main carer in an RTA. Acted alone against Leading Counsel. Instructed by Stewarts.

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Re: LXH

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Significant six-figure settlement in a child abuse claim. C groomed and then abused by her school teacher. Instructed by Irwin Mitchell LLP.

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Re: PZJ

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Significant injury to Claimant's dominant hand during an accident at work, involving a circular saw. £700,000 settlement. Instructed by Anthony Gold.

## Clinical Negligence

Ben's clinical negligence practice exclusively focuses on serious injury work, spanning across all areas of medicine. He has particular expertise in birth injury, adult brain injury; spinal injury cases and amputation cases.

For a clinical negligence practitioner, he goes to trial regularly; succeeding for Claimants on liability, variously in amputation; spinal injury and urology cases in the past 24 months.

Ben receives regular instructions from the major Medical Defence Organisations, with a particular expertise of representing medical practitioners at Inquests, and in civil proceedings.

### Notable Clinical Negligence cases

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[Younas v Okeahialam \[2019\] EWHC 2502 \(QB\)](#)

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Listed as one of Nigel Poole QC's top 5 clinical negligence cases of 2019. Successfully established liability at trial in a complex mixed cardiology/spinal cord injury case. Instructed as sole counsel by Stewarts.

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[JAH v Burne and others \[2018\] EWHC 3461 \(QB\)](#)

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Successfully established causation in respect of the loss of the Claimant's arm. With Gordon Bebb QC. Instructed by Wolferstans.

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[Downing v Peterborough & Stamford NHS Trust \[2014\] EWHC 4216 \(QB\)](#)

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Claimant suffered debilitating chronic pain following an operation to (allegedly) cure his snoring. Quantum only trial. The Claimant received a £2.4m award (on a full liability basis; discounted to reflect previously agreed liability discount, based on 2.5% discount rate). Compromised in part on appeal thereafter. With Harry Trusted. Instructed by Scott-Moncrieff and Associates.

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Re: AL (Deceased)

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Fatal claim, following open heart surgery. Represented the family at both a high profile inquest; and thereafter in civil proceedings. Complex quantum issues – Deceased had significant and complex pensions. Acted alone against Leading Counsel. Settled for significant six-figure sum. Instructed by Stewarts.

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Re: ML

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Above knee amputation. Instructed as sole counsel; significant seven-figure settlement. Instructed by Irwin Mitchell LLP.

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Re: DR

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Below elbow amputation. Settled for £1.5m. Instructed as sole counsel. Instructed by Irwin Mitchell LLP.

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Re: SG

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Catastrophic quadriplegia claim in young adult. Patient 'coned' following lumbar puncture. Liability settled on a percentage basis. Quantum settled thereafter at a capitalised sum in excess of £20m (if valued on a full liability basis). With William Latimer-Sayer QC. Instructed by Stewarts.

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Re: AE

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Catastrophic spinal cord injury claim. Failure to diagnose vertebral fracture in A&E, resulting in the patient being allowed to mobilise, suffering a spinal cord injury thereafter. Settled for capitalised value of c.£8m. With Gerard McDermott QC. Instructed by Stewarts.

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## Aviation & Travel

Ben has undertaken cross-jurisdictional personal injury work since he started at the Bar, managing hundreds of group actions against major tour operators in the process. He has now changed the emphasis of his Travel practice, focusing upon higher value cross-jurisdictional work.

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Ben acted for over 1,000 Indian Nationals who variously suffered injuries whilst being exposed to mercury in thermometer factory; he also acted for a number of Indian Nationals who suffered serious injuries in a Road Traffic Accident whilst visiting the UK.

In the field of aviation, Ben has been instructed to act (against Leading Counsel) for a number of soldiers who suffered career ending injuries when a Voyager aircraft entered a steep dive. He understands technical issues relating to aviation, holding an EASA PPL(A) with associated night and (restricted) Instrument Ratings.

He continues to act in clinical negligence cases where individuals either reside overseas, (and have been injured in the UK), or where UK residents have been subjected to clinical negligence abroad.

## Notable Aviation & Travel cases

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### M40 Litigation

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Acted for 7 Indian Engineers who were injured in a high speed RTA. Complex cross-jurisdictional issues. Travelled to India to assist with quantum investigations. Settled following a 2-day mediation; complex cross-jurisdictional quantum issues, including arguments about the applicable discount rate, where injured individuals now reside overseas. With Gerard McDermott QC. Instructed by Stewarts.

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### Voyager Litigation

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Acted for a number of servicemen and women who suffered career ending injuries, following an adverse incident on an RAF Voyager aircraft. Acted alone against Leading Counsel. Instructed by Bolt Burdon Kemp.

## Memberships

- APIL
- PIBA
- PEOPIIL

## Recommendations

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