

## Peter Jolley

Call 2014

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### Introduction

Peter Jolley completed pupillage in these Chambers in 2015. He began cutting his teeth with daily outings to court, but has since also developed a busy advisory and paperwork practice. He splits his time roughly equally between negligence-based claims – P.I., clinical and professional negligence – on the one hand, and property and contractual work on the other.

This balance of work sees Peter drawing on the experience he gained before the Bar. He began working life as a teacher and then managed commercial bids at one of the world's largest IT companies. He worked with people from many different walks of life and became known for being approachable, straightforward and sensible, yet firm. He is authorised for Public Access work.

### Personal Injury & Clinical Negligence

Peter has represented the family at a week-long 'Article 2' jury inquest concerning the death of a hospital patient subject to Deprivation of Liberty Safeguards and a local authority at an inquest touching upon the death of a swimming pool cleaner at work. He also represents hospitals, for instance at an inquest which explored changes to the deceased's medication. Peter is keen to develop his experience in medico-legal work. Recent success includes advising on a failure to diagnose periodontitis which settled in five figures.

Working for both claimants and defendants, Peter's varied cases have involved chipped teeth, facial scars, accidents on the dancefloor, a fall in an ancient waterway, a collapsing chandelier, a burning gazebo and electrocution on a building site. With an eye for detail, Peter has advised on a number of matters in the last year revealing fraudulent claims – all of which have since collapsed.

As one might expect of a barrister in this field, Peter has appeared in innumerable Road Traffic Act trials. He has wide experience of the matters that can arise including causation, fundamental dishonesty, foreign insurance and the vagaries of the fixed costs regime. He is a member of PIBA.

## Business

### General Commercial Litigation

Before training as a barrister, Peter worked on multi-million pound IT framework contracts advertised through the Official Journal of the EU. He was described as being “sensitive to commercial issues while building good relationships with clients”. Peter has successfully represented individuals and small firms in matters involving insurance, misrepresentation, breaches of guarantee, money had and received and the Payment Services Regulations.

### Construction and Engineering

Peter is instructed in a wide range of disputes involving commercial organisations, smaller firms and individuals. His cases often involve construction and engineering projects, architects and industrial machinery. He has represented a major firm of architects at mediation and was commended for his pragmatism. He is developing a niche interest in the Water Industry Act, representing a major water undertaker, and enjoys the natural overlap with his property practice.

### Company and Partnership

Peter has drafted company articles and appears at the Companies Court in respect of winding-up and bankruptcy petitions, restorations to the company register and the late registration of charges. He has represented a major airline seeking to set aside a court order and assisted a major bank in a due diligence exercise. He is also familiar with matters of debt recovery.

### Contract and Professional Negligence

Peter’s cases often complement his clinical negligence work: he is increasingly involved in matters concerning professional conduct. He has represented solicitors faced with allegations of negligence and advised on breaches of the Data Protection Act. He is currently being led in a disciplinary matter by a very well respected and experienced Case Presenter for the Chartered Institute of Arbitrators.

## Property

### Real Property

Peter recently won at trial obtaining a declaration that five lessees may use a disputed easement over an adjoining driveway. There were allegations of oversubscription and harassment, all of which failed. He has dealt with a number of adverse possession and boundary dispute claims involving matters such as a disagreement over the position of an ancient field boundary. His work also often seems to involve construction matters, which provides natural overlap with his contract and professional negligence practice.

He is a member of the PBA.

## Landlord & Tenant

Peter has dealt with innumerable possession matters across the entire range of possible cases, from 1954 Act matters, commercial and residential forfeiture, through ASTs, to secure tenancies. He has also undertaken a considerable amount of disrepair work, with cases running into the hundreds. Such cases have involved tenants of all descriptions, professional landlords and local authorities. He also advises on matters including service charges, collective enfranchisement and absentee landlords.

## Housing

Working for local authorities, supported by his experience of an in-house secondment for a London Borough, Peter has considerable experience of succession cases, tenancy fraud and anti-social behaviour. He appears at possession hearings, applications for warrants and allocation hearings and is familiar with the variety of issues which can arise.

He regularly advises on matters of disrepair including leaks, black mould and defective plaster. He advises on Environmental Protection Act prosecutions and remedies such as injunctions. He appears at the FTT (Property Chamber), recently for instance in a selective licensing dispute.

Peter also works for tenants since this provides broad and contrasting experience of how the courts deal with housing cases. He is also a member of SHLA.

## Direct Access

Peter is authorised to accept instructions direct from members of the public. He encourages clients who are considering this route to contact Chambers and discuss their problem.

In suitable cases, he can provide client conferences, written advices and representation at court. He accepts public access work across Chambers' areas of expertise with a particular focus on landlord and tenant matters.

## Recent Cases

### Personal Injury and Clinical Negligence

- Inquest into the death of AMM [2017] – Article 2 jury inquest

- C v T [2017] – successful settlement of failure to diagnose periodontitis claim
- M v L [2017] – successful strike out of C's claim for PSLA relying upon fraudulent records

## Contract and Professional Negligence

- Re An Arbitrator [ongoing] – being led in a disciplinary tribunal matter
- Re F and S [ongoing] – advising in multiple defendant case for damage to utilities
- E v H [2017] – represented known firm of architects at mediation concerning unpaid work

## Property

- Mustafa v Enfield [2018] 12 WLUK 116 - for the statutory water undertaker in an appeal by way of case stated concerning Building Act 1984 s.59 notices
- G v L [ongoing] – negligence and nuisance claim relating to a party wall
- Re A [ongoing] – advising on alleged contract for sale of business and residential property
- L v L [2017] – advising on long leaseholder disrepair case concerning defective pipework

## Qualifications and Awards

- Middle Temple Diplock Major Scholarship awarded two years running
- City Law School – GDL and BPTC
- King's College London – MA in English
- Durham University DUSada Prize
- University College Durham – BA in English Literature
- Bolton School Boys' Division