

ANDREW BERSHADSKI

Call 2010

Get in touch

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Practice Overview

Andrew specialises in personal injury and clinical negligence, property damage, product liability and professional negligence work. He is involved in a number of large international group actions in these areas and has extensive experience of litigation involving Africa and extractive industries.

He is currently instructed on behalf of one of the defendants in the *Kadie Kalma & ors v Tonkolili Iron Ore (SL) Ltd* High Court litigation, a personal injury claim by 142 residents of north-eastern Sierra Leone against a large iron ore mine. He acted on behalf of over 4,000 claimants in their successful professional negligence action against a firm of solicitors in relation to the payment of settlement monies arising out of toxic waste dumping in the Ivory Coast (*Agouman v Leigh Day* [2016] EWHC 1324 (QB)). He has also represented Nigerian litigants in an action against Chevron Corporation before the courts of San Francisco.

Andrew's product liability work includes acting on behalf of a number of claimants in the *JJML Pelvic Organ Prolapse* vaginal mesh litigation. Andrew is both instructed as sole counsel and is regularly led. His appellate practice includes the Privy Council case of *Kamal Williams v Bermuda Hospitals Board* [2016] UKPC 4, in which he made submissions to the Board on the law of material contribution causation in the commonwealth.

Andrew is a native Russian speaker.

Clinical Negligence

Andrew regularly appears in Court, advises and drafts pleadings in clinical negligence matters. He has experience of advising on and drafting Schedules in claims brought under the Fatal Accidents Act 1972 and Law Reform (Miscellaneous Provisions) Act 1934.

Practice areas

Clinical Negligence
Employment
Insurance & Reinsurance
Personal Injury
Professional Negligence
Property Damage

Qualifications

BA Law and History

Education

Sidney Sussex College, Cambridge
University



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Employment

Andrew is developing an Employment practice and is regularly instructed to appear in the Employment Tribunals. He has undertaken a number of investigations on behalf of employers faced with allegations of absenteeism, bullying and harassment by employees. Andrew undertakes merits assessments of claims, and regularly drafts ET1s, ET3s and discrimination questionnaires.

During pupillage, Andrew assisted Helen Wolstenholme, Niazi Fetto and Rehana Azib in preparation for Employment Tribunal hearings and a successful appeal to the Employment Appeals Tribunal. He assisted in drafting submissions that resulted in the granting of an extended Restricted Reporting Order.

Insurance & Reinsurance

Andrew is instructed in matters involving issues of coverage and interpretation relating to motor, buildings and short-term income protection policies.

Personal Injury

Andrew appears regularly in trials, disposal and interim hearings in personal injury matters. He is developing a busy advisory practice in occupiers' liability, highway and employers' liability cases. He has recently given a seminar on the operation of the Occupiers' Liability Acts 1957 and 1984, with a focus on practical steps in defending claims brought under those Acts. Andrew has experience of jurisdictional issues in personal injury cases, and in claims brought under the Package Travel, Package Holidays and Package Tours Regulations 1992.

Professional Negligence

Andrew has appeared in Court, drafted pleadings and advised in professional negligence claims against insurance brokers, surveyors, solicitors and professionals in the construction and agricultural sectors.

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Property Damage

Andrew undertakes drafting and advisory work and appears in the county courts in property damage matters. He has experience of bailment of goods, buildings damage, tree roots subsidence and heave claims.

During pupillage, Andrew assisted in interesting cases concerning liability under the Hotel Proprietors Act 1956 for the alleged theft of a large quantity of jewellery from a hotel; liability under the Coal Mining Subsidence Act 1991; and the operation of the Party Wall etc. Act 1996.

He has assisted Charles Dougherty QC in researching the heads of recoverable losses under the Riot (Damages) Act 1886 in the leading case arising from the London riots of August 2011.

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