

# John Jessup

**Year of Call:** 2014

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## Overview

Before coming to 3PB, John completed a 12-month pupillage at 11 Stone Buildings where he worked on Commercial Litigation, Probate, Property Law, and in particular Corporate and Personal Insolvency.

John has a level of experience in Insolvency matters well beyond his year of Call and frequently appears in the High Court and County Court on bankruptcy matters.

John is a skilled and natural advocate, and won Best Orator in the 2013 Oxford University International Media Law Moot in the face of competitors from the likes of Oxford, Cambridge, Stanford and Harvard Universities. He appears in Court on a frequent basis.

John also accepts instruction to produce written advice in all areas of his expertise.

## Academic qualifications

- University of Wales, Swansea, LLB Law, 1st class degree (top 1st) (2011)
- University of Oxford, Bachelor of Civil Law (2013)
- Cardiff University, BPTC, Outstanding.

## Scholarships

- Best Orator, Oxford International Media Law Moot 2013
- Semi-Finalist, Oxford International Intellectual Property Moot 2013
- Beneficiary of the James Pantyfedwen Foundation, 2012
- Iscoed Chambers Prize, 2011
- Sweet and Maxwell Prize, 2011

## Professional bodies

- Chancery Bar Association
- Technology and Construction Bar Association

## Direct Access

John is able to provide Court representation and written advice on a Direct Access basis in all of his practice areas.

# Expertise

## Property and Estates

### Property and Estates

John frequently provides advice and representation in residential property disputes including:

- Landlord and tenant disputes (eviction proceedings and disrepair claims)
- Boundary disputes
- Mortgage repossessions
- Leaseholder disputes.

He also advises commercial landlords and tenants particularly in analysing complex tenancy contracts.

John has appeared in a recorded case in the Upper Land Tribunal and has appeared on a number of occasions in First-Tier Tribunal proceedings.

John accepts instructions in this area from professionally-represented clients and via Direct Public Access.

### Probate

John has experience of advising and providing representation on all areas of probate including:

- Interpretation of wills
- Invalidity of wills (for example as a result of incapacity and the operation of the "golden rule")
- The rights and duties of executors.

John has particular experience of representing parties at the mediation of probate-related disputes.

## Publications

John Jessup reflects on a recent High Court case in which he appeared and which sheds further light on proprietary estoppel in contracts for the sale of land.

[View Publication](#)

## Commercial

### Insolvency

John has a level of experience in Insolvency matters equivalent to a general practitioner many years his senior. He has had exposure to complex and high-value disputes between liquidators and former directors on matters such as:

- Breach of directors' duties
- Transactions at undervalue

- Preferences.

John frequently appears at the winding-up court at the Rolls building.

John also has experience in representing individuals in bankruptcy proceedings and frequently appears in London and in county courts around the South East for that purpose.

### **Commercial**

John has had exposure to high-level, multi-million pound Commercial disputes both during pupillage and whilst at 3PB. He is capable of advising on the application of Commercial and Contract law to complex, multi-party arrangements.

John has a particular interest in cross-border commercial disputes, having studied Conflict of Laws at Oxford University.

John also frequently provides written advice and court advocacy for smaller-scale disputes such as contracts for building services and sale of goods claims.

### **Company**

In addition to his experience in corporate insolvency, John has substantial experience in general Company law matters and frequently appears and advises on matters such as applications to rectify the register of charges under the Companies Act 2006.

## **Publications**

Through a glass darkly: reflections on reflective loss

John Jessup considers the recent Court of Appeal decision of *Marex Financial Limited* [2018] EWCA Civ 1468 which answers the question of whether the rule against reflective loss (which prevents a shareholder bringing an action for loss of value of their shares) applies to unsecured creditors.

[View Publication](#)

## **Construction and engineering**

John originally embarked upon a Civil Engineering Degree and was on track for a 2:1 before realising that his true calling lay at The Bar.

As a result he has a strong grasp of construction theory and practice and a formidable level of technical knowledge. John's working practice in areas of disputed fact is often to speak directly to employers, architects and contractors with whom he is able to converse at a technical level.

John has married his experience of complex commercial disputes to his technical background and is well-placed to advise and provide representation on all aspects of construction law. He is familiar with all standard forms of construction contract.

### **Recent cases**

- Advised on alleged variations to building works (homeowner occupier)
- Advised on expert and client witness statements
- Advised on prospects in claim against negligent surveyors re damp
- Advised extensively on expert report
- Drafted proceedings in dispute with builder over refitted kitchen
- Advised and drafted proceedings in dispute with builder over swimming pool and garden works

- Advised on prospects against an architect and site manager for defective works to a roof
- Advised builders on prospects of defending claim by homeowner that they had not followed architect's drawings
- Advised on prospects against installer of flooring after floor damaged by damp
- Drafting proceedings for defects and counterclaim for wrongful termination – acting for builders
- Advised as to prospects, settlement offers and witness evidence in plumbing works dispute regarding wrongful termination and defects
- Advising and drafting proceedings in multi track claim for non payment of invoices in building works
- Advised, contractor –v- sub-contractor – sub-contractor instructed to install glass partitions at mental health facility. Sub-contractor installs wrong thickness and type of glass.
- Engaged in technical discussions with contractor regarding types of glass, thickness, and specification drawings
- Advised and drafted correspondence – defective building works
- Adjudication – advised on recovery where unknown to the parties. Matter governed by Housing Grants, Construction and Regeneration Act 1996.
- Acting for Claimant Contractor
- Representing Claimant – unpaid invoice for building works, counterclaim for defective works
- Wrongful termination – in practice works not defective but merely unfinished.

## **Publications**

3PB construction and commercial/insolvency barrister John Jessup predicted on Tuesday June 9 at the 3PB construction law webinar that the Supreme Court may push open the door left slightly ajar by Lord Justice Coulson at the Court of Appeal in the case of *Bresco v Lonsdale* [2019] EWCA Civ 27.

[View Publication](#)