



## Jerome Silva - Barrister Called 2001

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### **PRACTICE AREAS:**

- General Commercial
- Aviation
- Inquests & Inquiries
- Negligence & Professional Injury

### **PROFILE:**

Jerome has an expansive Common Law practice developed over fifteen years at the Bar. A strong, highly adaptable and robust advocate, he places importance on providing carefully considered and clearly explained advice based on excellent attention to detail. The sheer diversity of his practice has given Jerome considerable experience of appearing before a vast range of courts and tribunals, up to and including the Supreme Court.

### **GENERAL COMMERCIAL:**

Jerome has a broad commercial practice having advised on or appeared in a range of commercial disputes including:

Insurance/reinsurance litigation (including early work on multi-jurisdictional film finance reinsurance litigation), material non-disclosure and misrepresentation in the context of contracts of insurance, commercial fraud, as well as fraudulent and exaggerated claims. He has experience of obtaining and resisting High Court injunctions arising from a range of disputes. Additionally Jerome has been instructed in relation to civil fraud, asset tracing, worldwide freezing injunctions, restraint orders, disputes arising out of the Consumer Rights Act, sale of goods, claims arising out of general contractual disputes such as agency agreements (notably estate agency and banking) and restrictive covenants. Jerome has advised in relation to a number of claims arising out of aviation and travel, including serious accidents involving commercial aircraft, cost of repairs and damages for loss of use.

### **AVIATION:**

Jerome has acted for a variety of airlines and airports in a broad range of commercial, regulatory and tortious disputes, involving different jurisdictions both in the High Court and before arbitral tribunals. He has advised in relation to fatalities occurring within the aviation industry. He has also advised in

disputes arising out of aircraft loan agreements, leases and private flying programs. Jerome has specifically advised in relation to the following:

- Conflict of laws and recognition and enforcement of judgments of foreign courts in the High Court of England & Wales
- Fatal accidents within an airport and associated claims including Article 2 ECHR
- Enforcement of international arbitral awards in the High Court under s.66 of the Arbitration Act 1996
- Damage to aircraft claims including aircraft collisions and catastrophic accidents;
- Damages in respect of repairs and assessing quantum in relation to loss of use
- Duties of disclosure of insurers and reinsurers in the context of hull claims
- Letters of Intent in the context of aviation agreements
- Aviation transactions governed by New York law
- Aircraft loan/sale agreements across multiple jurisdictions and breaches of contract
- Regulation 261 claims

### **INQUESTS & INQUIRIES:**

Jerome has acted for local and central government, companies and on behalf of insurers as well as on behalf of families of the deceased at Coroner's Inquests. He has also represented the NHS in relation to patient deaths. Unusually for practitioners in this field, Jerome's practice is strengthened through his relevant expertise across serious criminal cases involving murder, manslaughter by gross negligence and causing death by dangerous driving.

Most recently, Jerome represented the family of a mentally ill patient that was prematurely discharged from a psychiatric unit and tragically went on to commit suicide. Jerome secured a formal Coroner's recommendation for nationwide changes to NHS patient discharge policy in cases of mental illness. Previous inquests include:

- Death in custody
- Death from food poisoning by a commercial pub chain
- Deaths in hospital settings and through alleged malpractice
- Gross negligence manslaughter involving toxic health supplements distributed by a gym
- Fraudulently induced road traffic accident resulting in death

### **NEGLIGENCE & PERSONAL INJURY:**

Jerome has extensive Claimant and Defendant experience in relation to all areas of Fast and Multi-Track Personal Injury litigation including:

- Accidents involving aircraft
- Catastrophic injuries
- Industrial disease claims: mesothelioma and other carcinoma
- Accidents in foreign jurisdictions involving the Package Travel Regulations
- Advising as to liability and medical evidence on causation involving instances of hypoglycaemia, automatism, diabetic coma and epilepsy
- Quantifying loss of use and loss of revenue
- Animals Act litigation (with particular expertise in dog bite cases)

- Road traffic accidents (including fatalities)
- Credit Hire disputes (enforceability; exemption; illegality; impecuniosity)
- Fraudulent Claims (staged/induced accidents, exaggeration, pleading and insinuating fraud – effect on costs)
- Litigation arising out of criminal trials involving fatal accidents and gross negligence manslaughter.

**PROFESSIONAL MEMBERSHIPS:**

Inner Temple

London Common Law & Commercial Bar Association

Professional Negligence Bar Association

Personal Injury Bar Association

Liberty