GREENWAY CHAMBERS

Ben Bradley

Barrister 2006

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Background

Ben has extensive experience in professional indemnity, insurance and infrastructure litigation as well as assisting health and corporate clients engaged in the coronial process. He appears on behalf of government, insurance and corporate interests. He is frequently listed in peer reviewed legal directories, such as the Doyles Guide.

With over twenty years experienced in Health Law, Ben has the trust and confidence of most major underwriters of health service providers in Australia. He is frequently briefed to appear in complex litigation across the spectrum of clinical practice. Ben enjoys acting for medical practitioners and hospitals in challenging cases, appearing and advising clients in many significant medical negligence cases in recent years.

Co-existent with his Health practice, Ben maintains a strong interest in infrastructure and construction disputes. In the past, Ben has assisted major commercial interests in domestic and international arbitral disputes, working with clients in China, Hong Kong, Ireland and the United Arab Emirates.

Across his practice, Ben has a strong reputation for collaborative problem solving. He enjoys working with dedicated solicitors, experienced experts and committed clients, each of whom bring a nuanced approach to resolving disputed issues.

Qualifiations

Master of Laws, University of Sydney, 2002

Bachelor of Laws, Australian National University, 1999

Admissions

Barrister, New South Wales, 2006

Legal Practitioner, High Court of Australia, 2002

Legal Practitioner, Supreme Court of NSW, 1999

Health Litigation

Shaw v Health Administration Corporation & Anor (2026) (leading Tamsin Waterhouse)

Appeared for HAC (in its capacity as NSW Health Pathology) in relation to a claim concerning a failure to identify a poorly differentiated high grade goblet cell adenocarcinoma in 2021. The HAC maintained that it had reasonably delegated any duty it owed to the plaintiff to Southern Pathology Services Pty Ltd (SPSPL). The matter resolved on the first day of hearing.

Karim v South East Sydney Local Health District (2026) (leading Jacinta Smith)

Acted for SESLHD in relation to alleged purported failures by staff at St George Hospital to investigate, diagnose and treat a stroke event during an admission to it on and from 9 February 2017. In issue was whether there was an omission to promptly administer thrombolysis, and the causal significance of same in any event. The case ultimately resolved after joint conferences with the Court approving a judgment in favour of the SESLHD on 22.10.26.

Baghdadi & Ors v South Western Local Health District (2026)

Acted for SWSLHD in relation to a claim brought against it for purported delay in investigation, diagnosis and treatment of an unruptured sub-totally thrombosed proximal aneurysm identified on imaging at Bankstown-Lidcombe Hospital on 12.10.21. The SWSLHD contended that there was appropriate and timely investigations, including transfer to Lidcombe Hospital on 13.10.21 for further work up and management of the aneurysm during this admission. The patient died from unexpected rupture that evening. The matter resolved at mediation, with the Court approving settlement on 3.7.26.

Busa v South Eastern Sydney Local Health District [2025] NSWSC 130

Acted for SESLHD in relation to a claim for purported negligence in performing a tap and inject for suspected endophthalmitis in patient who underwent vitrectomy in November 2014. The Court awarded judgment in favour of the SESLHD following contested hearing, with later appeal set aside see Busa v South Eastern Sydney Local Health District [2026] NSWCA 4 (led by Cheney SC).

Varghese bht Edison v Calvary Health Care (Newcastle) Limited & Anor [2025] NSWSC 1613

Acted for Hunter New England Local Health District in relation to a claim for purported negligence in the neurosurgical management of a patient with severe hydrocephalus. The claims were actively defended and the medicine complex. The matter resolved at mediation, with the Court approving settlement on 18.12.25.

Nemes v South Eastern Sydney Local Health District [2025] NSWSC 418 (led by Cheney SC)

Acted for SESLHD in relation to a claim brought for purported perinatal hypoxic injury during birth consequent on alleged excessive uterine stimulation and failure to more promptly deliver in presence of abnormal CTG. The Plaintiff later developed infantile spasms and Global Developmental Delay. The Court awarded judgment in favour of the SESLHD following contested hearing.

Inquests

Inquest into the death of Pippa Mae White (2026)

Appeared for Western NSW Local Health District and the Sydney Children's Hospital Network in relation to an inquest into the deterioration and ultimate death of a young two-year-old girl from sepsis at Orange Health Service in 2019.

Inquest into the death of Ryan Fennell (2026)

Appeared for Justice Health and Forensic Health Network in relation to multiple deaths involving inmate patients at the Metropolitan Remand and Reception Centre between 2018 and 2020, with a focus on exploring systemic issues related to the management of inmates, especially those with serious mental health issues.

Inquest into the death of Simon Myles Mackay (2026)

Appeared for Northern Sydney Local Health District in relation to a patient who lost his life by suicide within the High Dependency Unit in the Mental Health Inpatient Unit at the Royal North Shore Hospital. The NSLHD had thoroughly investigated and responded to this incident and no further recommendations were made.

Inquest into the death of CD (2026)

Appeared for Justice Health and Forensic Health Network in relation to a patient who suffered a self-inflicted death at Silverwater Women's Correctional Centre.

Inquest into the death of Jesse Mathew Riley (2026)

Appeared for the Commissioner of NSW Ambulance in relation to an inquest into the death of a patient who died from SUDEP in the context of status epilepsy secondary to an undiagnosed cerebral cavernoma. Interestingly, the Court briefly considered the potential for vaping to trigger seizures, an issue which may require further exploration in an appropriate matter.

Inquest into the death of CG (2026)

Appeared for a General Practitioner in relation to a patient who died from exsanguination from self-inflicted injuries to both arms while an inmate. While his notes could have been more explicit, no criticism was made of the GP.

Inquest into the death of Phillip Mark Walton (2025)

Appeared for NSW Ambulance in relation to the death of Mr Walton from cardiac arrhythmia, in the context of physical exertion and hypoxia during restraint. Mr Walton was in lawful police custody following an episode of agitation and self-harm. The inquest led to the referral of the involved paramedics.

Infrastructure/Construction

Le-arna Enterprises Pty Limited -v- Mars Building Pty Limited & Ors (2025) (leading Ashley Cameron)

Acted for Le-arna Enterprises Pty Limited who was the owner of land adjoining a develop site in Newcastle. During excavation and shoring works on neighbouring land, damage was sustained to the client's property. Le-arna alleged damage was caused by deflection of contiguous pile wall on the neighbouring land. Claims were brought in negligence and pursuant to s.177 of the Conveyancing Act 1919. The matter resolved at mediation.

Starr Managing Agents Limited on behalf of Starr Liability Consortium 9967 at Lloyd's v Catlin Australia Pty Limited as agents on behalf of Syndicate 2003 at Lloyd's of London (2025)

Dual insurance claim in relation to façade enhancement services on large residential tower. In issue was proper construction of policy and construction issues relating to the use of a protective film applied to 417 glass balustrades. Matter resolved by negotiations in 2025.

CBP Contractors Pty Limited (formerly known as Leighton Contractors Pty Limited & Ors -v- HDI-Global SE Australia & Ors (2025) (led by Joshua Thompson SC- former Solicitor General Western Australia, now President of the Court of Appeal of Western Australia)

The Third Plaintiff, CBP, was engaged by New Zealand Transport Agency to design, construct, finance, operate and maintain the 'Transmission Gully Project', being the main road carriageway between Linden and MacKays Crossing in New Zealand. The First and Second Plaintiffs were engaged to perform the design and construction works. The Plaintiff advanced substantial claims against the insurers for 13 events during construction in the period 2016 to 2020. The matter resolved by negotiations in 2025.

Health Infrastructure as a division of the Health Administration Corporation -v- John Holland Pty Limited & Ors (2024)

Acted for Health Infrastructure in relation to its recovery of damages including business interruption losses, following collapse of major scaffolding consequent on a wind event during construction works involving a new tower at Lismore Base Hospital. The matter resolved by negotiations in 2024.

China Capital TRP Pty Limited & Anor -v- Minister Administering the Environmental Planning and Assessment Act 1979 (2022) NSWSC

Appeared for the Minister in a dispute concerning a purported nuisance arising from a dam adjacent to a major residential development site, which gave rise to consideration of what constitutes 'reasonable care and skill' in managing upstream surface water flows (see Gartner v Kidman (1962)108 CLR 12), not previously the subject of authority.