



# Theodore Bunce

**Call: 2017**

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Theodore Bunce has established a busy court and paper practice across all aspects of Chambers' work.

He joined Chambers in October 2019 after successfully completing pupillage under the supervision of Shahram Shargy, Tim Parker, James Thacker and Thom Dyke.

Theo is a certificated mediator and accepts instructions to oversee, advise on and represent participants at a wide range of ADR methods.

Prior to pupillage, Theo spent one year working as a solicitor's agent in County Courts across the South-East, instructed upon trials, infant approvals, CCMCs and a wide range of interlocutory applications.

In his spare time, Theo is an enthusiastic sportsman and an avid supporter of Premiership side Brighton and Hove Albion FC.

## Areas of Expertise

### Personal Injury & Costs

Theo is rapidly developing a varied personal injury practice, providing realistic, pragmatic advice to Claimants and Defendants alike, at all stages of the litigation process. He is regularly instructed to represent Claimants and Defendants in the County Court, acting in Multi-Track and Fast Track trials, alongside the full range of interlocutory applications.

Theo offers drafting, advice and representation in a wide array of personal injury matters, including:

- Road Traffic Accidents;
- Claimants against employers;
- Claims against occupiers;
- Product liability claims;
- Defective Premises Act claims;
- Highways Act claims;
- Animals Act claims;
- Claims under the Montreal Convention.

He also advises and represents those bringing claims or challenging decisions in respect of Criminal Injuries Compensation and Industrial Injuries Disablement Benefit.

Theo is comfortable dealing with costs arguments arising in the course of civil litigation, and is well-versed in arguments relating to Portal Claims, fundamental dishonesty and outcomes of multi-party litigation. He often fields requests for standalone advice to professional clients on novel costs arguments.

Theo accepts instructions on a CFA or DCFA basis in appropriate cases.

## **Notable Personal Injury & Costs cases**

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U v H [2021]

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C was involved in a head on collision, immediately rendered comatose and suffered traumatic brain injury. Advised pre-issue on expert neurological evidence, the applicability of the Uninsured Drivers' Agreement 2015, and quantum.

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E v E [2021]

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Advised on quantum/Part 36 offers. C was assaulted by a fellow patient at his care facility, suffering facial disfigurement and long-term PTSD.

## **Commercial Litigation**

Theo advises and acts for parties to a wide array of commercial proceedings, including:

- Credit Hire;
- Contractual disputes;
- Property disputes;
- Possession proceedings;
- Inheritance Act claims;
- Injunction applications;
- Professional negligence claims.

He offers candid, pragmatic advice at all times with a constant focus on securing the best outcome for his clients.

Theo is also familiar with insolvency matters, appearing in a personal bankruptcy dispute involving approximately £4m of liabilities and a dispute over international assets.

## **Family and COP**

### **Public**

Theo is regularly instructed by local authorities, parents and the children's guardian in public law proceedings involving substance abuse, neglect, domestic violence, sexual abuse and inflicted injury.

Theo advises and acts from the initial stages of public law cases (EPO/ICO) through to Fact Finding and Welfare Final Hearings. He is comfortable appearing in applications under the inherent jurisdiction of the High Court, and in applications for locating and recovering missing or abducted children.

Theo has a particular interest in cases with an international element and appears in proceedings for Forced Marriage Protection Orders in the High Court.

## Private

In the private family sphere, Theo represents parties in financial proceedings, applications for Child Arrangement Orders, and for non-molestation, occupation and transfer of tenancy orders.

An ability to identify and focus on only strictly relevant matters, combined with a straight-talking, approachable manner, makes him appealing to lay-clients, professional clients and tribunals alike.

## COP

Theo is actively looking to expand his Court of Protection practice. He was recently instructed by a Local Authority to appear in a complex case involving parallel proceedings under the Forced Marriage (Civil Protection) Act 2007 and alleged misappropriation of P's funds.

### Notable Family and COP cases

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H v T [2021] (Fact-Finding)

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Instructed on behalf of the Applicant Father in a 2-day fact-finding involving allegations of rape and forced miscarriage. Theo secured a compromise on the factual nexus at trial excluding any such findings. Subsequently resisted an application by the Respondent to re-open the fact-finding process on the basis of further allegations of sexual violence and obtained a non-party costs order against Cafcass as a result of its failure to report on the basis of the agreed facts.

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Re. O [2021]

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Representing a Local Authority in proceedings involving contested allegations of inflicted injuries, pool of perpetrator issues and fluctuating capacity of a party.

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Re. M [2021] (Fact-Finding)

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Represented the Local Authority at a 7-day fact-finding hearing involving inflicted facial injuries. There were no witnesses to the assault, the child was unable to give a detailed account and her parents denied involvement. Theo secured findings of inflicted injury and failure to protect.

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Re. E [2021] (Deprivation of Liberty)

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Theo represented the Local Authority in this application under the inherent jurisdiction. P suffered Herpes Simplex Encephalitis, which progressed so as to leave permanent brain injury, with psychological and behavioural damage. The argument surrounded the extent to which P's parents could provide consent and the minority dicta in Re D (A Child) [2019] UKSC 42.

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MPS v Bile & Ors [2019] EWHC 1868

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Instructed by the Metropolitan Police in an application for Forced Marriage Protection Order. After just 3 months of practice, he was praised by Holman J [at 14] for his “skilled, measured approach” to the application at final hearing.

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## Crime

Theo is a CPS Grade 2 prosecutor and is regularly instructed both to prosecute and defend criminal cases and appeals in the Crown Court and the Magistrates’ Court. A conscientious and congenial advocate, who has experience deploying the techniques of The Advocate’s Gateway Toolkits, Theo is well-suited to cases involving young and vulnerable witnesses.

Theo represents defendants charged with serious matters such as burglary, robbery and firearms offences.

### Notable Crime cases

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R v D & Ors [2019] (Magistrates)

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The 4 Defendants (3 youths) were charged with the joint enterprise assault of two young victims, alongside individual counts of assault (relating to a third), criminal damage and theft. Having advised on charge, Theo prosecuted the four-day trial, resisting submissions of no case and securing convictions on all charges. Theo also prosecuted the appeals, which were withdrawn on day 1 of trial.

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R v R [2019] (Central Criminal Court)

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Advised and represented D, who pleaded guilty to two commercial burglaries, with 14 previous convictions for like offences. D given a suspended sentence.

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R v Y [2020]

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Advised and represented client at plea hearing charged with child cruelty under the Children and Young Persons Act 1933.

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R v B [2021] (Harrow CC)

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Prosecuted complex sentencing involving supply of Class A, B, and psychoactive substances, including a kilogram of MDMA. Involved credit for assistance to the authorities pursuant to s74 Sentencing Act 2020. 52 months immediate custody imposed.

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## Police Law

Theo appears on behalf of police forces in a wide range of matters, such as cash and account forfeiture proceedings, applications for sexual harm prevention orders, sexual risk orders and applications under the Police (Property) Act. He is comfortable making

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representations on Public Interest Immunity in relation to disclosure of sensitive material in civil/family proceedings.

## Notable Police Law cases

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MPS v S & Ors [2021]

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Obtained AFO and instructed in account forfeiture proceedings in respect of a suspected prostitution ring and child sex trafficking.

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MPS v C [2019] (Westminster Magistrates Court)

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As a second-six pupil, appeared against a QC in an application involving the alleged funding of terrorism.

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MPS v A [2019] (Magistrates)

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Successfully obtained a Sexual Harm Prevention Order against the Respondent, found to have video-recorded a large number of lone women without their consent.

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## Education

- BPTC (Outstanding), University of Law
- Graduate Diploma in Law (Distinction, Best in Year), Sussex University
- MA (Philosophy), Hatfield College, Durham University
- BA Hons (PPE), Hatfield College, Durham University