



Jonathan Chew

Call: 2010

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Clerks' Details

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Qualifications and Appointments

- BCL, Brasenose College, Oxford (Distinction) (2008-9)(Restitution, Conflicts of Laws, Advanced Property and Trusts papers)
- MA (Law), Emmanuel College, Cambridge (2004-8)(University prizes awarded for top mark in year in Land Law and Public International Law (both 2006))
- Maitrise en Droit, mention assez bien, Université Paris II Panthéon-Assas (2006-8)(French equivalent of a Master's degree in law)
- Queen Mother Scholarship (Middle Temple) and Outstanding BVC

“Comprehensive in his approach, an impressive and effective advocate.”

The Legal 500 2019

Memberships

- Chancery Bar Association
- COMBAR
- Property Bar Association
- Registered Advocate of the DIFC Courts

Publications

- [‘Rules of the DIFC Courts’](#) (2018) *Wilberforce Chambers, 5th edition (and 4th and 3rd editions)*
- [‘Phillips v Francis’](#) (2015)
- ‘Wrotham Out’ (2018) *Conveyancer* 386
- ‘The Resurgence of Implied Terms’ (2016) *Conveyancer* 398
- ‘What Price Trespass’ (2013) *Conveyancer* 439

Practice Overview

Jonathan is a property, pensions and commercial chancery barrister. He has a specialist professional negligence practice on matters arising from his core work.

He has been repeatedly recommended in the directories:

“Comprehensive in his approach, an impressive and effective advocate.” (*The Legal 500 2019*)

“He is excellent at rolling up his sleeves and getting stuck in, he really knows his stuff and he inspires confidence in both solicitors and clients.” (Chambers and Partners UK Bar 2018)

“His opinions and written submissions were excellent” (Chambers and Partners UK Bar 2017)

“He’s very hard-working, bright and a really good team player.” (Chambers and Partners UK Bar 2017)

He is instructed on one of The Lawyer’s Top 20 cases for 2019 (as he was in both 2015 and 2014) and listed in Who’s Who Legal.

Jonathan is as comfortable acting as sole counsel as being led as part of a wider team. He has particular experience of substantial High Court trials. As sole counsel he has appeared in the Court of Appeal, regularly appears in the High Court (Chancery Division, QBD, Comm Court and TCC), and before various tribunals including the FTT, UT or Pensions Regulator DP, often against silks or senior juniors. He is regularly instructed to appear before the DIFC Courts in Dubai, and acts in mediations and arbitrations.

Current ongoing matters include:

- [Canary Wharf v European Medicines Agency](#) [2019] EWHC 335 (Ch): In the much-publicised “Brexit” case, Jonathan acts with Joanne Wicks QC for the landlord Canary Wharf in arguing that Brexit will not frustrate the EMA’s lease. Having succeeded at first instance, permission to appeal the decision has been granted to be heard by March 2020.
- [Re Mitchells & Butlers Pension Plan](#) (ongoing): a major pensions dispute, led by Michael Tennet QC and Edward Sawyer, on rectification, RPI/CPI, and the validity of amendments.



Practice Overview continued

- Acting for pension fund trustees, led by Michael Tennet QC, on a dispute with the FTSE 250 sponsoring employer over the power to move away from RPI pension increases.
- **Barclays v Kapoor**: Acting as sole counsel in the DIFC Courts for Barclays on a multi-million-dollar guarantee claim.

Other reported cases include:

- **Reedbase v Fattal** [2018] 2 P&CR 14: Jonathan appeared as sole counsel in the Court of Appeal for the successful landlord on the first appellate case on a landlord's obligations to consult and a change in proposed works, and the first in the Court of Appeal for over 25 years on the obligation to make good.
- **Tavira Securities v Point Ventures FCZO** [2017] CFI 26: acting as sole counsel against a silk in a jurisdiction challenge in the DIFC in litigation relating to an alleged share transaction.
- **Knapper v Francis** [2017] L&TR 20: appearing as sole counsel before the Upper Tribunal on the operation of on-account demands under the terms of the lease and the 1985 Act consultation regime.
- **Matchmove v Dowding** [2017] 1 WLR 749: led by Jonathan Seitler QC on a leading recent case relating to constructive trusts.
- **MASNOL v Cripps Harries Hall** [2016] EWHC 2483 (Ch): led by Jonathan Seitler QC successfully defending two solicitors accused of fraud in a major Chancery Division trial.
- **Pollock v Reed** [2016] Pens LR 129: led by Robert Ham QC, acting for the employer on an attempted scheme restructuring through a bulk transfer without member consent.

Professional Liability

Jonathan's professional negligence practice is ancillary to his core area. He has particular experience with solicitors' negligence claims (both transactional and litigation), as well as acting on claims involving surveyors, accountants, trustees and trust/scheme administrators.

Examples of Jonathan's professional liability work include:

- **Quidnet Capital Partners v Colsilverbird & ors** (2019 ongoing): Jonathan acts for property owners in a multi-million pound dispute with its former asset managers, where substantial allegations of negligence are made against the asset managers.
- Acting on expert determination for a property owner in respect of allegations made against an asset manager.
- **MASNOL v Cripps Harries Hall** [2016] EWHC 2483 (Ch): Led by Jonathan Seitler QC, Jonathan successfully defended two lawyers accused of an £11 million conveyancing fraud arising out of buy-to-let lending in 2007. The individuals involved were fully exonerated of the dishonesty accusations against them.
- **Caliendo v Mishcon de Reya** [2016] EWHC 150 (Ch): One of the Lawyer's "Top 20 Cases of 2015." Jonathan, led by Ian Croxford QC and Clare Stanley QC, successfully acted for the defendant firm in defeating a professional negligence claim brought arising out of the sale of QPR football club to Flavio Briatore and Bernie Ecclestone in 2007.
- Advising on potential claims against scheme administrators for failed equalisation.
- Acting with Joanna Smith QC on a FRC investigation into a major audit firm and certain employees of an AIM-listed company arising out of the business' collapse and restructuring.
- **Twintec v Volkerfitzpatrick** [2014] BLR 150: A construction professional negligence claim which was one of The Lawyer's "[Top 20 Cases of 2014](#)" where a tenant was claiming over £100m against its landlord, with contribution claims against contractors and subcontractors. Jonathan was led by Joanna Smith QC in the dispute relating to a wine warehouse in the South West and successfully obtained an interim injunction in that case restraining adjudication.