



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

“Analytically very strong and as an advocate he is confident, relaxed and assured.”

Chambers & Partners 2020

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:

“Analytically very strong and as an advocate he is confident, relaxed and assured.” (Chambers and Partners UK Bar 2020)

“An excellent advocate with an engaging way of putting ideas across.” (Chambers and Partners UK Bar 2020)

“A tenacious advocate” (The Legal 500 2020)

“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 has been repeatedly instructed in The Lawyer’s Top 20 cases for 2019, 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:

- *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.
- Led by Jonathan Seitler QC on a landlord and tenant dispute over a multi-million pound programme of works to a substantial commercial building.



Practice Overview continued

- *Britvic PLC v Britvic Pensions Ltd* [2020] 1 WLUK 1113 (Jan 2020): Acting for the Britvic Pension Trustee on a dispute over the meaning and effect of RPI pension increase provisions.
- *Barclays v Kapoor*: Acting as sole counsel in the DIFC Courts for Barclays on a multi-million-dollar guarantee claim.

Other reported cases 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, the case settled before the appeal was heard in Court of Appeal.
- Acting for Barclays in a DIFC guarantee dispute.
- *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 Seidler QC on a leading recent case relating to constructive trusts.

Property

Jonathan's practice spans the range of property work: in substance, from City skyscrapers to Cornwall holiday parks; in type from landlord and tenant through registration and mortgage issues to questions of title and easements; and from tribunals from the Court of Appeal to the FTT. He also has experience of obtaining injunctions against squatters and protestors.

In addition to his litigation work, he often advises on matters which may become contentious, such as the interpretation of covenants, the scope of easements, or the extent of rights of light.

He often acts for major institutional clients, whether major London estates or substantial tenant companies (such as high-street supermarkets, pub chains, or fast food chains).

He has been recognized in Chambers and Partners, Legal 500 2019 and Who's Who Legal for his property work;

"*A tenacious advocate.*" (Legal 500 2020)

"*Very imaginative and very willing to get into the detail and adopt a very user-friendly approach.*"

"*An excellent advocate with an engaging way of putting ideas across.*"

"*Analytically very strong and as an advocate he is confident, relaxed and assured.*"

(Chambers and Partners 2020)

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

Substantial recent matters include:

- Led by Jonathan Seidler QC on a landlord and tenant dispute over a multi-million pound programme of works to a substantial commercial building.
- *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. The case settled before an appeal to the Court of Appeal.



Property continued

- ***Quidnet Capital Partners v Colsilverbird & ors (2019 ongoing)***: Jonathan acts for property owners in a multi-million pound dispute with its former asset managers.
- Acting for HS2 Limited in securing possession of a high profile site the subject of substantial environmental protest.

Other reported cases include:

- ***Aurora Developments v Delta Holdings [2018] EWHC 1047 (Ch)***: Jonathan successfully acted for the victims of a major property investment fraud relating to development land in central London, including a successful finding of fraud on a summary judgment basis.
- ***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.
- ***Knapper v Francis [2017] L&TR 20***: appearing as sole counsel before the Upper Tribunal on the operation of on-account demands under terms of lease and 1985 Act. This case gave landlords certainty that an on-account demand would not subsequently be rendered unrecoverable by later events.
- ***Matchmove v Dowding [2017] 1 WLR 749***: led by Jonathan Seitler QC, on a leading recent case relating to the continuing questions around constructive trusts, informal agreements to sell, and section 2 of the 1989 Act.
- ***Wensley v Persons Unknown [2017] EWHC 872 (Ch)***: acting for Cuadrilla and associated farmers on injunction proceedings relating to protests against fracking.
- ***MASNOL v Cripps Harries Hall [2016] EWHC 2483 (Ch)***: led by Jonathan Seitler QC successfully defending two conveyancing solicitors accused of fraud arising out of lending made months before the credit crisis hit.
- ***Phillips v Francis [2015] 1 WLR 741***: led by Jonathan Seitler QC for the successful appellant on the leading case on the meaning of 'works' for landlord and tenant consultation purposes under the 1985 Act.