



## Jonathan Chew

Call: 2010

jchew@wilberforce.co.uk

### Clerks' Details

+44 (0)20 7306 0102  
tcj@wilberforce.co.uk

### 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

### Memberships

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

### Publications

- ['Rules of the DIFC Courts'](#) (2016) *Wilberforce Chambers, 4th edition*
- ['Phillips v Francis'](#) (2015) *Wilberforce Property Update (Issue 1)* May 2015
- [Rules of The DIFC Courts 2014](#) (2014) *Wilberforce Chambers, 3rd Edition*
- '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:

*"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)

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:

- A pending appeal before the Court of Appeal as sole counsel on questions of damages for disrepair and the landlord and tenant consultation regime.
- A major pensions dispute, led by Michael Tennet QC and Edward Sawyer, on rectification, RPI/CPI, and the validity of amendments.
- Acting for the victims of a major property investment fraud relating to development land in central London.

#### Recent reported cases include:

- *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.



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- **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.

## 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 titles 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).

### His ongoing work includes:

- A pending appeal before the Court of Appeal relating to consultation under the 1985 Act regime, making good, and the proper approach to damages. Jonathan succeeded as sole counsel on an 11-day trial at first instance.
- Acting for investors victims of a property fraud in relation to a major development site in central London.
- Acting for the supermarket tenant on an ongoing dispute in relation to one of its premises, having successfully agreed an interim solution having applied for an interim injunction.

### Reported cases include:

- **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.
- **Century Projects v Almacantar** [2014] EWHC 394 (Ch), led Jonathan Seitler QC, on a number of related disputes over the restaurant at the top of the Centre Point Tower on Oxford Street in the course of its proposed redevelopment. Jonathan and Jonathan successfully resisted an interim injunction.