



## Jonathan Davey QC

Call: 2003

QC: 2016

jdavey@wilberforce.co.uk

*“Incredible eloquence,  
reassuring client manner  
and impressive breadth of  
expertise”*

### Memberships

- Chancery Bar Association
- Property Bar Association
- Commercial Bar Association
- Commercial Fraud Lawyer's Association
- Association of Pension Lawyers
- Bar Pro Bono Panel

### Publications

[\*Butterworths Property Law Handbook 11th Edition \(2018\)\*](#)

### Practice Overview

Jonathan was appointed Queen's Counsel in 2016 at just 13 years' call. Prior to taking Silk, Jonathan served on the Attorney General's A Panel of Counsel to the Crown, the most senior of the 3 Crown Panels; and was shortlisted for *Chambers & Partners' Junior of the Year* award in the areas of Chancery and Real Estate.

Jonathan is a highly respected litigator with a broad commercial chancery practice encompassing areas including property, commercial, tax and trusts.

Jonathan has considerable experience, in particular, of large-scale and high-value litigation in cases which involve more than one field of law. He is regularly instructed in complex commercial, property and financial/tax litigation, for example, the current high profile £1 billion *Ingenious* litigation. Jonathan has considerable experience of leading large legal teams.

Jonathan is a highly persuasive advocate, with substantial experience both as a trial lawyer and as an appellate advocate. As well as appearing in the higher courts, Jonathan frequently appears across a range of tribunals and other dispute resolution forums.

Jonathan regularly appears in the legal directories (*Chambers & Partners*, *Chambers Global* and/or *The Legal 500*) as a leading practitioner in the following areas:

- Real estate
- Chancery – traditional
- Private client – trusts and probate
- Private client – tax
- Tax
- Private wealth
- Pensions
- Charities

### Clerks' Details

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

### Qualifications and Appointments

- First Class Honours degree, Philosophy, University of Nottingham
- Distinction, International Relations MA, University of Nottingham
- MPhil, Downing College, Cambridge University
- CPE, City University, London
- Denning, Mansfield, Bowen and Hardwicke Scholarships, Lincoln's Inn
- Commercial experience in United Kingdom, Europe and United States prior to being called to the Bar
- Attorney General's Panel of Counsel to the Crown (B Panel)



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## Practice Overview continued

Comments that have been made of him in the directories include: "a key figure", "hugely respected", "extremely impressive", "phenomenally intelligent", "charming and effective", "user friendly", "a pleasure to work with", "a real team player", "makes things simple", "practical", "an accomplished advocate", "incredibly eloquent", "an excellent draftsman", "reassuring client manner", "very calm", "impressive breadth of expertise", "in massive demand for good reason", and "handles complex litigation matters with aplomb".

## Property

Prior to taking silk, Jonathan was shortlisted for "Property Junior of the Year" at the Jonathan is an experienced property practitioner. He is the current editor of [Butterworths Property Law Handbook](#) (latest edition November 2018) (with [Ben Faulkner](#)). Prior to taking Silk, Jonathan was shortlisted for the Chambers & Partners' Property Junior of the Year award.

Jonathan is recommended as a leading property practitioner in Chambers & Partners where he is described as "**impressive**", "**phenomenally bright**", "**an accomplished advocate**" and "**user-friendly**" in relation to complex and high value real estate litigation.

He is recommended in The Legal 500 for his real estate work which is described as "**thorough, well judged and impeccable**", and his general approach "**enormously enthusiastic**"

Jonathan's real estate practice extends across the full range of issues that arise in respect of both commercial and residential property, freehold and leasehold. His clients range from individuals to corporate entities to government departments. He acts in disputes resolved through litigation, arbitration and expert determination and also advises transactional lawyers. Jonathan has particular expertise in respect of high value property disputes involving complex financial, including tax, aspects.

### Some representative cases include:

- *Project Blue Limited v HM Revenue and Customs* [2018] UKSC 30: Supreme Court case regarding £1 billion sale of Chelsea Barracks by the Ministry of Defence, raising a number of important issues including that of the relationship between English mortgage law and Islamic finance principles.
- *Re real estate portfolio of leading UK University* [2017]: Multi-million pound dispute concerning the basis upon which a major UK University holds its real estate portfolio.
- *Dispute re £1 billion property portfolio* [2016]: High value arbitration regarding interpretation and effect of contractual framework in respect of management of major national commercial property portfolio.
- *Nicholas v Secretary of State for Defence* [2015] EWCA Civ 53: Human rights / property test case concerning compatibility of landlord and tenant legislation in respect of Crown tenancies with European Convention on Human Rights. Jonathan acted successfully for the landlord in the Court of Appeal. The tenant's application for permission to appeal to the Supreme Court was refused.
- *Phillips v Francis* [2014] EWCA Civ 1395: Key landlord and tenant test case concerning the obligations of landlords to consult with tenants in respect of works of repair. Jonathan acted successfully for the Secretary of State for Communities and Local Government in the Court of Appeal.
- *Camden Market Holdings Inc v IBRC* [2014]: Dispute concerning rights under complex mortgage arrangements in respect of assets worth £400m. Jonathan acted for the liquidators of the mortgagees (with Antony Zacaroli QC).
- *Century Projects Limited v Almacantar (Centre Point) Limited* [2014] EWHC 394 (Ch): High-value commercial property dispute between landlord and tenant in respect of iconic central London property, Centre Point Tower on New Oxford Street. Jonathan acted for the tenants (with Jonathan Gaunt QC). Injunction application went to the Court of Appeal.



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## Property continued

- *Secretary of State for Transport v Blake* [2013] EWHC 2495 (Ch); Human rights / property test case concerning compatibility of landlord and tenant legislation in respect of Crown tenancies with European Convention on Human Rights, and the proper construction of contractual notices. Jonathan acted successfully for the landlord.
- *Secretary of State for Justice v Topland Group and others* [2012]; £23m dispute involving alleged fraud in respect of a transaction involving substantial central London commercial premises. Jonathan acted for the Secretary of State for Justice (with Simon Browne-Wilkinson QC and Philip Brook-Smith QC).