



Jonathan Seitler QC

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QC: 2003

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Clerks' Details

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Qualifications and Appointments

- PPE, Pembroke College Oxford
- Diploma in Law with Distinction

“Thoroughly intelligent, good at debating difficult points of law and inventive.”

Chambers & Partners, 2018

“He is good at coming up with innovative solutions.”

Chambers & Partners, 2018

Memberships

- Property Bar Association
- Professional Negligence Bar Association
- Standing Conference of Mediators

Publications

- Claims against Valuers and Solicitors (1996)
- Commercial Property Litigation (looseleaf) (2000)
- Lenders Claims (2006)
- Leases: Covenants and Consent (2009)

Practice Overview

In its 2014 edition, Chambers & Partners advised *“if there is a property-related [or] professional negligence dispute, make sure you instruct [Jonathan] first”*. This is because Jonathan currently stands top of the pile in terms of QCs for heavy and important property litigation and professional negligence work. Jonathan is listed in the **Who's Who Legal: UK Bar 2015 for Real Estate**.

Chambers & Partners 2018 recently described him as a highly esteemed silk with a particular focus on complex and high-value professional negligence matters. *“A very good advocate who has the ear of the court”* and who is *“he is very quick, provides creative solutions and is very user-friendly.”*

Jonathan has attained this status with a simple approach: *“it's the hard yards which yield the benefits”*. His enormous success and enduring popularity has been achieved by immensely hard work, deep attention to detail, speed and decisiveness.

Jonathan's speciality is to combine an open, accessible and attractive manner with clients with a ruthless and sometimes brutal destruction of opponents. *“Litigation”,* he will tell you, *“is war by civilised means”* and he has certainly adapted the fighting litigation skills which he learned in the Chambers of George Carman QC to become, at Wilberforce Chambers, one of the silks in property litigation and property-related professional negligence, that opponents fear most.

Jonathan is presently involved in many of the leading cases in those fields and is widely respected and admired for bringing to every matter, irrespective of how complex, clarity, commitment and care.

Jonathan is strongly of the view that technical excellence in legal matters can be found quite easily: what makes the difference in terms of a successful lawyer are abilities on top of those – the ability to communicate clearly and effectively with clients and in particular to reflect their commercial objectives; the ability to think strategically about how to counter the move that the enemy is going to make next (even if it hasn't yet thought of it itself); and, ultimately, the ability to persuade the court to do something that it wouldn't otherwise do.

Recent successes include *Peel Land v TS Sheerness*, in which Jonathan persuaded the Court of Appeal to re-write the standard textbooks in relation to the law on tenant's fixtures; *PGF v OMFS*, in which he persuaded the Court of Appeal to define the circumstances in which it is safe to ignore an invitation to mediate, to give his client a costs-victory; and *Clutterbuck, Paton v Al-Amoudi*, (the so-called 'Vamp in the Veil' case) in which he persuaded the court to find for his client even though her evidence was found to be *“unsatisfactory”*.



Professional Liability

Jonathan's particular speciality is property-related professional negligence.

His practice therefore largely involves claims against solicitors and valuers. He has acted consistently both for claimants and for defendants and has enjoyed success in relation to both.

Many professional negligence cases in which Jonathan has been involved have been high-profile and for that and other reasons, most have settled without the necessity for trial. Invariably, these settlements have involved highly satisfactory outcomes for Jonathan's clients. His reported cases are, therefore merely the tip of the iceberg in terms of the work he has been carrying out in this field.

Reported cases include:

- *Rentokil v Goodman Derrick* pending – solicitor's negligence relating to sale of land subject to satisfaction of planning conditions.
- *Herrmann v Withers LLP* Scope of solicitor's duty, standard of solicitor's duty, measure of damages.
- *Moffat v Burges Salmon* Solicitor's duty, loss of a chance.
- *Credit Lyonnais SA v Russell Jones & Walker* liability for negligence when a firm of solicitors had been negligent in failing to draw a client's attention to the fact that time was of the essence in the case of a condition precedent concerned with the early termination of a lease.
- *Eastgate Group Ltd v Lindsey Morden Group Inc* accountant's negligence on sale of business, contributory negligence and contribution.
- *Howkins & Harrison v Tyler* valuer's negligence, contribution between solicitor and valuer.
- *Legal & General Mortgage Services Ltd v HPC Professional Services* surveyor's negligence, margin of error in valuation.