



NEW SQUARE

## Hugh Evans

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*He is very efficient, provides commercial advice and quickly gets to the real issues.*

- Legal 500

**Hugh Evans's practice centres on professional liability, with particular emphasis on claims against lawyers and accountants, commercial litigation, particularly insurance and fraud claims, and costs.**

His litigation philosophy is: (1) to give the clients clear and practical advice on how best to resolve their legal difficulties; (2) to succeed at trial by the use of ingenuity, tactical thinking, detailed preparation, and experience, particularly in cross examination; and (3) to be a friendly, accessible and helpful member of any legal team.

Hugh has been listed as a leading professional negligence junior by the directories in the first tier or band for many years. The 2021 guides say: "*He's got encyclopedic knowledge and is good on his feet.*", "*A real heavyweight junior. He is very easy to deal with and offers very sensible and pragmatic advice.*" (Chambers), and "*Hugh is a living encyclopedia when it comes to authorities on professional negligence. He is one of those few barristers who even with their wealth of knowledge is always willing to listen and consider the ideas of others and finesse them in their own measured manner.*" (Legal 500). Hugh has been described as "*fantastically clever*" with a "*logical approach and likeable manner*", that he is "*bright, commercial and efficient*", "*witty and academically sound*", and even that he "*makes the litigation process as painless as possible.*" He has been "*praised for his ability to clarify the most complex legal issues, and sources deem him 'uncannily accurate' in his advice*" It is said that he is "*...extremely bright and very good tactically*" , "*...excellent and very persuasive on his feet.*" "*Hugh demonstrates wit and energy, and is tremendously likeable too*", and "*Hugh knows professional negligence inside-out, and is great to work with*", it is alleged that "*He is phenomenally bright and gives very practical advice,*" that "*he picks the right points and has very good judgement.*" "*He is very bright, has a pleasant manner with clients and is a good negotiator*" and , "*he really gets to grips with the most complex of issues*" .

Hugh writes extensively on professional liability. He is , and has been since 1992, the editor of the chapters on solicitors and barristers in *Jackson and Powell on Professional Liability* (Sweet & Maxwell 8<sup>th</sup> edition 2017), and is a general editor of the book .He is the author of *Lawyers' Liabilities* Sweet & Maxwell 2002 (2<sup>nd</sup> edn), and nearly thirty articles in a variety of academic journals, particularly Professional Negligence.

Hugh's trial work has taken him to all divisions of the High Court, particularly the Chancery Division, as well as the County Court, and many arbitrations. He also has extensive experience of ADR, and has taken part as advocate in over fifty mediations. He is very comfortable with a wide variety of complex technical evidence, from medical to engineering, including statistical analysis.

### Privacy Policy

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## Areas of Expertise

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## Insurance & Reinsurance

Hugh's practice includes extensive experience of insurance law, particularly coverage disputes in relation to professionals, and insurance issues in insurance brokers' cases.

Hugh has extensive experience in professional indemnity policies, most of which have been the subject of arbitration. Recent disputes which did not settle and concluded in awards have concerned whether a relationship between lawyers amounted to a partnership, the application of the successor practice rules, the successful defence of a claim by an accountant on the basis of fraudulent nondisclosure, and (in 2013, which settled during the arbitration) the defence of a claim in relation to construction professionals on the basis of fraudulent nondisclosure. Hugh also represented the successful insurer in *Goldsmith Williams v Travelers Insurance Co Ltd* [2010] EWHC 26 (QB), a claim under the Third Parties (Rights against Insurers) Act 1930 which failed because the insured company's directors engaged in or condoned mortgage frauds.

These claims are typical of Hugh's practice and experience. Hugh is very familiar with solicitors' policies and the Minimum Terms and Conditions, and his experience includes dealing with aggregation issues, most recently after the Supreme Court ruling in *AIG v Woodman*, and dishonesty.

Outside professional liability policies, Hugh has dealt with a variety of insurance disputes. Cases include: disputes about ATE policies; fire and flood damage claims concerning domestic and particularly commercial property, fraud claims especially in relation to fire damage; late notification misrepresentation and nondisclosure issues in a wide variety of policies (including the successful defence at trial of a fire claim on the basis of fraudulent nondisclosure); and subsidence claims.

## Qualifications & Memberships

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MA (Cantab). BCL (Oxon).

## Insights

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### Valuing Bungled Litigation, *Edwards v Hugh James Ford Simey*

18 June 2018

*Edwards v Hugh James Ford Simey* has largely reestablished orthodox principles of how to value bungled litigation, but it may be difficult to apply the exception to those principles which it has derived from the authorities.

### Mediations as an advocate

20 April 2018

Mediations are commonly undertaken by solicitors, without assistance from Counsel. Many barristers have limited experience of mediation, or certainly used to, and many barristers are temperamentally unsuited to it, or so experienced mediators tell me. There is a tendency to be far too aggressive and confrontational, which is often entirely appropriate in cross examination, but rarely so in mediations. Solicitors are often much better adapted temperamentally to mediations, where an appearance of gentle friendliness and persuasion is often very helpful.

### Costs Budgeting

4 April 2018

Costs budgeting is plainly important, as I will amplify later, but it is rarely thought to be interesting. However, there is now a fair body of law and practice, and there is some craft in producing, developing and attacking budgets. I will start at the beginning. Costs budgeting started, after some pilot schemes, in April 2013, and the rules have been revised since. They are now a familiar part of the litigation landscape. However, problems and issues remain, many of which are inherent in cost budgeting.

### Jackson & Powell on Professional Liability

1 December 2017

Hugh is the editor of the chapters on solicitors and barristers in the 7th ed.



## **Lawyers' Liabilities**

4 April 2002