

Jamie Smith QC

Call: 1995

Silk: 2015

+442078222000

j.smith@4newsquare.com

Clerk: Dennis Peck

d.peck@4newsquare.com

+442078222040

+447912405149



He provides very incisive analysis of difficult problems and is incredibly nice to work with.

- Legal 500

During his time in Chambers, Jamie Smith QC has built up a practice embracing professional liability work, disciplinary & regulatory matters, insurance and commercial fraud.

In all that he does, Jamie brings a meticulous eye for detail and a complete commitment to the cause. He prides himself on being a team player and will not hesitate to work at the coalface and get his hands dirty. Jamie is ever-alert to the clients' commercial aims, but he is not afraid to give robust advice and to stick to his guns.

He is ranked in the directories for his insurance, professional liability, professional discipline and regulatory work. Recognised by the Legal 500 as a leading Silk in professional negligence, regulatory and disciplinary, Jamie is described as "a good team player with a fine legal brain", "he has really good judgement, and is also a decent man with a terrific sense of humour" (2019). "An exceptional talent" who is "able to see through complicated legal issues and distil down to the essential points" (2018). Before he took silk, Jamie was also in the 'Star' category for professional negligence in Chambers & Partners and is now ranked in the 2019 edition as a Leading Silk for his professional negligence and insurance work. He is described as "one of the brightest of the bunch, and extremely user-friendly. Confident but self-aware." "He is more than willing to jump into the trenches and get involved in the nitty gritty of a case. He is excellent in cases with complex issues that require a meticulous eye for the detail", "responsive, bright and commercial." "He really knows his stuff and has the advocacy skills to make his views reality."

Jamie regularly appears in the appellate courts and is equally at home in arbitration. Examples of his recent work include the ground-breaking Supreme Court decision on liability insurance in *IEGL v Zurich [2016] AC 509*, a ground-breaking Maxwellisation case in the regulatory sphere in *R (Lewin) v FRC [2018] 1 WLR 2867* and a trip to the Court of Appeal on the meaning of a settlement agreement in *Khanty-Mansiysk Recoveries Ltd v Forsters [2018] PNLR 20*.

Privacy Policy

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Areas of Expertise

Commercial Fraud

Since taking silk, Jamie has been heavily engaged in a number of large claims where very serious wrongdoing is alleged against professional persons: solicitors, valuers and estate agents. Jamie understands the acute reputational issues that arise in such cases and the heavy burdens placed upon those against whom such accusations are made. He immerses himself in the detail and fights



tenaciously for his clients.

Jamie recently led a team that successfully defended a commercial partner at Mishcon de Reya facing a conspiracy claim. All claims were dismissed after a 5-week trial and indemnity costs were awarded. He has also just finished his long-standing involvement in the *Accident Exchange* litigation, a £100m + claim alleging conspiracy involving expert rates surveyors and three firms of solicitors.

Jamie understands the need to master a range of ancillary remedies associated with commercial fraud claims, such as freezing injunctions and security for costs application. He is also prepared to give bold advice to seek to bring such claims to an early resolution.

Cases

- **IAP v Mishcon de Reya**
Conspiracy claim against commercial partner of MdR. Dismissed after 5-week trial.
- **IAP v Rosser (costs)**
Indemnity costs awarded to successful defendant after lengthy trial of conspiracy claim.
- **Gladman Commercial Properties v FHP**
Court of Appeal strikes out deceit claim against property agents on Henderson v Henderson/Aldi grounds.
- **Clydesdale Bank v Workman**
Commercial conveyancing partners exonerated on appeal of any wrongdoing arising from misappropriation of sale proceeds.

Qualifications & Memberships

He is a member of the Chancery Bar Association, the Professional Negligence Bar Association, the London Common Law & Commercial Bar Association, the Commercial Bar Association, the British Insurance Law Association, the Association of Regulatory & Disciplinary Lawyers and the Fraud Lawyers Association.

M.A. (Cantab.)

Insights

Introduction to the SRA's 2019 Standards and Regulations

14 October 2019

A summary look at the main changes brought in by the SRA's new November 2019 Standards and Regulations and their potential impact on practitioners.

Privilege and Maxwellisation – what can we learn from recent FRC cases?

11 December 2018

In this article, Jamie Smith QC and Helen Evans of 4 New Square explain how these two issues have arisen in the context of disciplinary investigations and proceedings undertaken by the Financial Reporting Council (FRC), which plays an important role in the regulation of accountants.

What can the collapse of Carillion teach us about the overlapping web of powers available against companies, their directors and auditors?

20 March 2018

Carillion PLC collapsed in January 2018. By the end of March 2018, at least three strands of regulatory or disciplinary procedures were being pursued as a consequence of the way the company had allegedly been conducted. The Financial Conduct Authority ("FCA") quickly announced that it was launching an investigation based on Carillion's market updates. In late January 2018, the Financial Reporting Council ("FRC") announced that it was investigating Carillion's auditors.



Editor of Jackson & Powell on Professional Liability (8th Edition)

1 March 2016