

Jonathan Hough QC

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Silk: 2014

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Very bright and methodical, with a great mastery of the detail. He is also able to think outside the box.

- Chambers & Partners

Jonathan Hough QC has a civil, commercial and public law practice.

Jonathan is ranked by the legal directories as a leading silk in five practice areas: insurance / reinsurance; professional liability; administrative / public law; inquests / inquiries; and consumer law. In all his fields of practice, he has appeared in many reported and important cases.

Shortlisted by Legal 500 for 'Public Law Silk of the Year' 2018.

Recent comments in the directories include the following:

"He is a very strong and shrewd operator whose pleadings are excellent and judgement is very good." "He has an excellent manner with clients, he's very responsive and talks to people at their level." "His ability to take complex arguments and make something clear and forceful from them is impressive." (Chambers & Partners 2021, Insurance)

"Used for the most sensitive and high-profile work. Jonathan is simply outstanding; he is able to grasp huge amounts of detail, and keep a clear view of the key issues and strategy at the same time." (Legal 500 2021, Insurance and Reinsurance)

"He is a brain on a stick - fantastic on insurance coverage, very determined to please you and clients, and very user-friendly." "He's just fantastic, really responsive, really 'on it' and just brilliant all round. We always know we'll get very clear advice." (Chambers & Partners 2021, Professional Negligence)

"Jonathan's attention to detail is second to none. He can assimilate a huge amount of information in a short period. Jonathan's drafting is excellent, he always gets the important points and pitches it just right." (Legal 500 2021, Professional Negligence)

"Incredibly thorough and absolutely great at getting into the detail himself but also at presenting things to clients in a really straightforward and simple way. That sounds like what you expect from any lawyer, but when you encounter someone who is as good at it as he is it's really quite outstanding." (Chambers & Partners 2021, Administrative & Public Law)

"A master of the detail and the strategy." (Legal 500 2021, Administrative & Public Law)

"The perfect example of an advocate who has the ear of the court. When he speaks the chair listens because they know he says reasonable and sensible things." "He is astonishing – he is extraordinarily responsive, prompt, meticulously organised and his attention to detail is superb. Clients find him a joy to work with and the quality of his work is exemplary." "He is still the go-to for coroners across the land as he knows so much about the conduct of inquests." (Chambers & Partners 2021, Inquests & Public)



Inquiries)

"A leading light for his knowledge and application of inquest law. He works very hard and is a very effective advocate." (Legal 500 2021, Inquests & Inquiries)

"He is top-notch, has impressive legal acumen and is a strong advocate." "His strengths are his depth of knowledge and his clarity of thought and explanation." (Chambers & Partners 2021, Consumer)

"His advice is always clear, concise and commercial. A good communicator. Always prompt with his advice." (Legal 500 2021, Consumer)

"He is incredibly user-friendly and has the brain the size of a planet." "His written work is absolutely superb" (Chambers 2020, Insurance)

"A terrific advocate who has a very good courtroom manner and is very robust and persuasive, which goes down well with judges." "He is approachable, very responsive and extremely bright; he provides sound written advice and was flawless at trial." (Chambers 2020, Professional Negligence)

"He's incredibly bright and the judges respect him enormously." "He's got an immense intellect but can explain things in a very straightforward way." (Chambers 2020, Administrative & Public Law)

"He has an amazing practice; he's a barrister of choice." "He cuts to the heart of a problem, providing detailed analysis and clear advice." (Chambers 2020, Consumer Law)

"The classic example of how it should be done." "He can make fantastic written and oral submissions and is incredibly quick on his feet." (Chambers 2020, Inquiries and Inquests)

"He stands out for his intellect and ability to grasp the issues very quickly." (Legal 500 2020, Insurance and Reinsurance)

"A charming, persuasive and polished advocate." (Legal 500 2020, Professional Negligence)

"Recommended for his intellectual prowess and excellent court skills." (Legal 500 2020 Consumer Law)

"His preparation is meticulous, his advocacy is incisive, his attention to detail is superb and his thought process is unchallengeable." (Legal 500 2020, Inquiries and Inquests)

"A charming and persuasive advocate who is extremely responsive, user-friendly and meticulous in his analysis and preparation of arguments." "Excellent with clients." (Chambers UK 2019, Insurance)

"Meticulous, great in conference and on his feet in court. Highly recommended." "Very quietly confident and assured, gets his point across very effectively without bluster." (Chambers UK 2019, Professional Negligence)

"Absolutely brilliant" (Chambers UK 2019, Administrative and Public Law)

"He's incredibly intelligent and knows the law inside and out. He takes a very structured approach and is able to think with absolute clarity." (Chambers UK 2019, Inquiries and Inquests)

"Incredibly intelligent..." (Chambers UK 2019, Consumer Law)

"Very bright, methodical with a great mastery of the detail." (Legal 500 2019, Professional Negligence)

"Simply brilliant in all respects and does everything with personality, wit and charm." (Legal 500 2019, Administrative and Public Law)



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“Simply brilliant in every aspect of his trade.” (Legal 500 2019 Inquiries and Inquests)

“Very concise and prompt.” (Legal 500 2019, Consumer Law)

“Instructing solicitors praise him for his ‘first-class brain’ and his ‘fantastic attention to detail’... ‘Clever and solutions-oriented, he has an ability to present arguments in a clear and concise way, both on paper and on his feet.’ ‘He is extremely thorough, really steeped in insurance law, extremely personable and someone who’s always looking to add value to the client.’” (Chambers UK 2018, Insurance)

“A ferociously clever go-to leader on defence and coverage cases.” (Chambers UK 2018, Professional Negligence)

“Deeply impressive... He is brilliant on the law but also has a strategic way of approaching problems. It is usually impossible to argue against his logic.” (Chambers UK 2018, Administrative and Public Law)

“He very quickly understands any issue you put before him and he can think strategically on any point. He is a rare talent.” (Chambers UK 2018, Inquiries and Inquests)

“He is a tower of strength. He is a formidable cross-examiner and very good to work with.” (Chambers UK 2018, Consumer Law)

“He has excellent commercial awareness and provides advice on how to achieve practical resolutions.” (Legal 500 2018, Professional Negligence)

“Combines clear and persuasive drafting with fearsome advocacy.” (Legal 500 2018, Administrative and Public Law)

“[An] extremely compelling advocate.” (Legal 500 2018, Inquests and Inquiries)

In the area of insurance law, Jonathan acts for and against major insurers, reinsurers and underwriting agencies in litigation and arbitration. He also has experience in advising on, and drafting, policy wordings, agency agreements, binding authority agreements, etc. He has particular expertise in the following classes of risk: general commercial liability (EL/PL/Products); property; motor; professional indemnity; legal expenses; trade credit; D&O; title insurance; personal accident / disablement; and financial risk.

His professional liability practice covers a range of professions, including lawyers, insurance professionals, surveyors and financial professionals. He is very experienced in substantial litigation for and against professionals, and in related insurance matters. One of his cases in this field was featured in The Lawyer’s Top 20 Cases of 2018.

He has broad experience of commercial dispute resolution in a wide range of business fields, including international work. In addition, he has particular expertise in consumer law, consumer credit and financial regulation.

In the field of public and administrative law, he has acted for public and private bodies in numerous judicial review claims of many different kinds. His work in this area includes local government law, commercial / financial regulation and professional discipline. He is also well known for his work in major inquests and public inquiries. As well as acting in very many reported cases in the Administrative Court and Court of Appeal, he has appeared as counsel to the inquiry in various important inquests. Recently, he has been leading counsel to the inquiry in the Hillsborough Stadium Disaster Inquests (2014-16) (appointed by Lord Justice Goldring), in the Westminster Bridge Terror Attack Inquests (2018) and in the London Bridge Terror Attack Inquests (2019) (appointed by the Chief Coroner). He was also counsel to the inquiry in the inquests concerning: the death of Diana, Princess of Wales; the shooting of Jean-Charles de Menezes; the Potters Bar rail disaster; the Grayrigg rail disaster; and the explosion on HMS Tireless (nuclear submarine). He has appeared and advised in several public inquiries, and is currently acting for a major insurer in the Independent Inquiry into Child Sexual Abuse.

Privacy Policy

Click here for a [Privacy Policy](#) for Jonathan Hough QC.

Areas of Expertise

Professional Liability

Jonathan is ranked by both Legal 500 and Chambers & Partners as a leading silk in the field of professional negligence. Comments in the latest directories include:

“He is a brain on a stick – fantastic on insurance coverage, very determined to please you and clients, and very user-friendly.” “He’s just fantastic, really responsive, really ‘on it’ and just brilliant all round. We always know we’ll get very clear advice.” (*Chambers & Partners 2021, Professional Negligence*)

“Jonathan’s attention to detail is second to none. He can assimilate a huge amount of information in a short period. Jonathan’s drafting is excellent, he always gets the important points and pitches it just right.” (*Legal 500 2021, Professional Negligence*)

“A terrific advocate who has a very good courtroom manner and is very robust and persuasive, which goes down well with judges.” “He is approachable, very responsive and extremely bright; he provides sound written advice and was flawless at trial.” (*Chambers UK 2020, Professional Negligence*)

“A charming, persuasive and polished advocate.” (*Legal 500 2020, Professional Negligence*)

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“Very bright, methodical with a great mastery of the detail.” (*Legal 500 2019, Professional Negligence*)

“A ferociously clever go-to leader on defence and coverage cases.” (*Chambers & Partners, 2018, Professional Negligence*)

“He has excellent commercial awareness and provides advice on how to achieve practical resolutions.” (*Legal 500 2017, Professional Negligence*)

“He displays a thorough approach to litigation.” (*Legal 500 2016, Professional Negligence*)

He has considerable experience in professional liability claims against a range of different types of professional, including lawyers, financial services professionals, insurance professionals and surveyors. He also has some experience of acting in litigation against construction professionals and in clinical negligence proceedings.

Professional indemnity insurance disputes concerning a wide range of professionals form a significant part of his insurance practice, and he has drafted professional indemnity policy wordings for insurers.

He is an editor of the current edition of Jackson & Powell on Professional Liability.

Financial Services Professionals

Jonathan is instructed in relation to disputes concerning a wide range of financial professionals (including IFAs, pension providers, SIPP providers, fund managers, financial risk insurers). He is very familiar with the statutory and regulatory framework established under FSMA 2000 and with numerous products and types of claim. He has experience of various forms of tax mitigation scheme (e.g. film schemes, enterprise zone schemes, tech schemes and charity shell schemes). He regularly advises PI insurers of financial professionals on coverage and liability.

Cases

- Denning v Greenhalgh Financial Services

Successful strike-out and summary judgment for the defendant IFAs in a claim alleging failure to identify and advise upon errors of predecessor IFA in recommending pension transfer (DB-DC). The case raised significant issues about the duty of care of an



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IFA and the ambit of a standard retainer.

- **Parkinson Engineering Services v Swan and Yeldon**

A claim against insolvency practitioners for allegedly negligent handling of the administration of a manufacturing business. The appeal raised significant issues concerning attempts to re-cast the claim after expiry of limitation.

- **Advising PI Insurers of SIPP Providers (2016-2018)**

Advising the PI insurance market on issues of legal liability and regulatory obligations of SIPP providers arising from investments introduced through unregulated introducers (as well as advice on coverage and attachment).

- **James Hay Pension Trustees Ltd v BFFM (2012)**

Acting for an IFA in extensive and complex claims by a wealthy private individual concerning serial errors (and fraudulent concealment of those errors) in execution of trades in unit trusts, investment trusts and equities.

Insurance Brokers & Agents

Jonathan acts for policyholders, brokers and insurers in disputes over the adequacy of cover arranged by brokers, advice given on insurance programmes and notifications of claims. He also acts in disputes between underwriting agents / coverholders and their capacity providers. His work in this field often overlaps with his general insurance/reinsurance practice, in which he is ranked as a leading silk. He is experienced in a wide range of classes of risk and is very familiar with the regulatory framework governing insurance intermediaries.

Cases

- **Ahli United Bank (UK) plc v Willis Ltd**

Representing a Middle Eastern Bank in a US\$20 million claim against its brokers arising out of placing of professional indemnity insurance. The bank had been held liable for advice given in relation to an Islamic investment fund. Its insurance claim was rejected on the basis of a retroactive date clause, and it claimed against brokers for failing to procure effective cover and failing to advise about the effect of policy provisions. The case was settled in 2010 during trial before Hamblen J.

- **Transtek v Aviva and Portishead Insurance Services**

Acting in a seven-figure property and BI coverage dispute arising from a fire claim which raised significant issues as to information passing between brokers and insurers, and as to brokers' duties to advise on disclosure obligations. The claim was abandoned against Jonathan's client at a late stage.

- **Williams v Iron Trades Insurance and BPW**

Acting for a motor repair company in litigation against its public liability insurers and its brokers. Issues concerned whether the insurers had been entitled to decline cover for a large fatal accident claim and, if so, whether brokers should have advised on claims notification and/or made a notification. The action was settled at mediation.

- **Re T&C Scaffolding**

Advising a scaffolding company in relation to potential claims against its brokers for failing to advise on claims conditions after insurers had declined cover in respect of a catastrophic injury claim.

- **PM Law Ltd v Motorplus Ltd**

A dispute between a legal expenses underwriting agency and panel solicitors involving claims totalling over £8 million. Jonathan successfully applied for summary judgment and to strike out a substantial portion of the claims, defeating novel arguments based on unjust enrichment and agency.

- **Temple Legal Protection Ltd v QBE Insurance (Europe) Ltd**

A dispute between a leading underwriting agency and its capacity provider concerning revocation of binding authority and the run-off of a Binder. The arbitration was the subject of appeals to the High Court (Beatson J) and the Court of Appeal. Jonathan



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also acted in separate but similar proceedings for the same agency against a second capacity provider.

Lawyers

Jonathan has considerable experience in professional liability claims against solicitors and barristers arising in a variety of professional contexts including, for example, lost litigation, conveyancing (including lender claims), commercial drafting. He also regularly advises on lawyers' indemnity insurance, including notifications of circumstances and claims and on policy coverage.

Cases

- **NRAM v Eversheds (2015-2018)**
Acting for the defendant firm of solicitors in a £120 million claim based on allegedly negligent advice on credit documentation and the effects of the Consumer Credit Acts and supplementary regulations. This case featured in The Lawyer's Top 20 Cases of 2018.
- **Baxendale-Walker v APL and Taylors (2015-17)**
Proceedings brought by the claimant borrower challenging the enforceability of a £6 million debt under a secured loan. Jonathan is acting for the solicitors in third party proceedings brought by the lender for an indemnity in respect of their drafting of loan documentation. He appeared successfully at the trial of the action in 2016.
- **Tavoulaareas v Keates Ferris (2015-16)**
Acting for commercial solicitors in a US\$4.7 million lost litigation claim arising from a multi-jurisdictional shipping dispute. The claim settled in mediation.
- **Ashfield Nominees v Brook et al (2013)**
Acting for a QC in professional negligence proceedings concerning advice given on limitation periods relating to Council Tax Liability Orders. The claim was ultimately abandoned as against Jonathan's client.
- **Platform Funding Ltd v Miller Parris Solicitors**
A claim by lenders against solicitors for negligent failure to advise on arguable meanings of restrictive covenants in a residential lease. Jonathan acted for the solicitors.
- **Baxendale-Walker v Middleton and ors**
A claim by a former solicitor and successful businessman alleging conspiracy and fraud against regulators. Jonathan acted for the Solicitors Disciplinary Tribunal and its former President in a substantial and successful strike-out application.
- **Reunion Finance v Richards Solicitors (2009)**
A £4 million claim against solicitors concerning allegedly negligent conduct of professional negligence proceedings which arose (indirectly) from the defective drafting of standard-form loan agreements.
- **Accident Exchange v McLean [2018] 4 WLR 26**
An important judgment on the scope of the "iniquity exception" to legal professional privilege, in particular the circumstances in which privilege can be lost due to the wrongdoing of somebody other than the lawyer's client. The dispute arose in the context of a conspiracy claim against lawyers pleaded at over £100 million. Jonathan acted for insurers intervening successfully to protect their privilege in numerous related cases.

Surveyors & Valuers

Jonathan has experience of advising and acting in claims against surveyors and valuers concerning domestic and residential property, including property portfolios. His work in this area has included disputes concerning the accuracy of valuations and the reliability of surveys. He is familiar with surveyors' professional indemnity insurance and issues arising with insurers, such as late notification, allegations of dishonesty and aggregation of claims.

Qualifications & Memberships

Jonathan is a member of the Professional Negligence Bar Association, the London Common Law and Commercial Bar Association, COMBAR and the Administrative Law Bar Association. He is an editor of the current edition of Jackson & Powell on Professional Liability.

Education

St Hugh's College, Oxford University (First Class in Classics); City University CPE (Commendation); Inns of Court School of Law (Outstanding); Queen Mother major scholarships for CPE and Bar School.

Insights

The Court of Appeal clarifies the law on Part 36 offers of settlement: C v D [2011] EWCA Civ 646

31 May 2011

In C v D [2011] EWCA Civ 646 the Court of Appeal (composed of Rix, Rimer and Stanley Burnton LJ) held that a Part 36 offer was not capable of being time limited and that, against that background, a reasonable interpretation of an offer expressed to be a Part 36 offer and to be "open for 21 days" was that the offer would not be withdrawn during such a period, not that it would automatically lapse thereafter.

Hillsborough and the recent history of high-profile inquests

11 May 2016

Corporate Crime analysis: Jonathan Hough QC, barrister at 4 New Square Chambers, explores the history of high-profile inquests and suggests dramatic changes in recent times with large-scale inquests, such as Hillsborough, starting to resemble major public inquiries or pieces of litigation.