



NEW SQUARE

Nicholas Broomfield

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Very bright and intellectually able, and always comes up with a good solution for problems. He is also very good on his feet in court and able to change tack when circumstances demand.

- Legal 500

Nicholas Broomfield has a broad commercial chancery practice, with particular emphasis on commercial litigation, the law of trusts and real property, banking, financial and mortgage related disputes, insurance claims, professional negligence and civil fraud.

Nick is an experienced trial advocate with a reputation for his legal analysis. He relishes tackling complex points of law, both in writing and by way of submission, and is often instructed by solicitors, insurers and lay clients for his commercial, client-friendly, approach. Nick undertakes advisory and court work, regularly appearing in trials, appeals and arbitrations, either on his own or as a member of a larger counsel team.

Nick is described as a "go to" junior for banking, mortgage and property related work. His considerable experience is underlined by his appearance in a number of significant cases, including *Scott v Southern Pacific Mortgages Limited* in the Supreme Court, *Mortgage Express v Lambert* and *Pathania v Adedeji* in the Court of Appeal and *Landmark Mortgages Ltd v Bamrah* on appeal to the High Court. Nick is also a contributor to the 4th edition of *Cousins, The Law of Mortgages*.

Nick is regularly instructed to act in insurance disputes (including coverage issues, policy interpretation, non-disclosure, fraud, misrepresentation and FSMA/ICOB), recovery actions and claims following thefts and damage to property (including fires, floods and impact claims). Nick (led by Graham Eklund QC) recently acted for the successful insurers in *Bluebon Ltd v Ageas (UK) Ltd* and was instructed (led by Mark Cannon QC) in a significant dispute concerning coverage under a contractor's professional indemnity policy.

Ranked as a Leading Professional Negligence Junior by Legal 500, Nick is described as being "*exceptionally bright, tactically astute, very easy to work with and is great with clients*". He has experience of professional liability claims in the UK, the Channel Islands and the British Virgin Islands. Nick has acted in claims against lawyers (including barristers and solicitors), trust companies and trustees, valuers and surveyors, construction professionals (including architects) and engineers, agents (commercial agents and estate agents), brokers (mortgage and insurance), financial professionals (IFAs, accountants, fund managers and auditors) and management companies.

Nick is also instructed in claims arising from breaches of trust (including claims seeking to recover trust assets). His experience includes claims against trustees in this jurisdiction and offshore, and claims concerning the recovery and preservation of trust assets.

Before being called to the Bar, Nick read Jurisprudence at Mansfield College, Oxford, where he was awarded an Exhibition, the Mansfield College Essay Prize, the Worsley Prize and a number of Collections prizes. He studied for the BVC at BPP Law School



and was graded Very Competent. Nick is a member of Lincoln's Inn and has been awarded Hardwicke, Denning and Shelford Scholarships.

Privacy Policy

Click here for a **Privacy Policy** for Nicholas Broomfield.

Areas of Expertise

Offshore

Nick has represented clients in a number of offshore jurisdictions, including the Caribbean and the Channel Islands, in a range of commercial disputes. His recent cases include:

- advising Channel Islands trustees on questions of breach of trust and land registration;
- advising Channel Island trustees on title rectification issues arising from fraud;
- advising a well-known offshore retailer on questions of jurisdiction;
- acting (with David Halpern QC) in a dispute with Channel Island trustees over the management of significant trust assets located in the UK;
- advising liquidators (with Nicole Sandells QC) in a claim against auditors in the Caribbean following the loss of significant funds by investors;
- advising liquidators in a potential claim against fund managers in the Caribbean following the loss of significant funds by investors;
- acting in a professional negligence claim in the Channel Islands following a fire purportedly caused by a boiler/heater at residential premises.

Qualifications & Memberships

B.A. (Oxon).

Insights

Matthew & Others v Sedman & Others [2021] UKSC 19

21 May 2021

When Dinah Washington sang "What a difference a day makes" it seems unlikely that she had in mind the limitation period in an accountant's negligence case. However, the difference that a day makes, was precisely the issue in *Matthew v Sedman*. The Supreme Court found, as had the Court of Appeal and HHJ Hodge QC before it, that where a cause of action accrues at the stroke of midnight the whole of the day after midnight falls to be included in the computation of time for limitation purposes.

Vicarious Liability: whose liability is it anyway?

20 April 2020

Vicarious liability is "on the move", but how far has it gone? Amanda Savage QC and Nick Broomfield explore the development of the doctrine of vicarious liability in light of the recent decisions of *Barclays Bank plc v Various Claimants* [2020] UKSC 13 and *MW Morrison Supermarkets plc v Various Claimants* [2020] UKSC 12.

Mears Limited v Costplan Services (South East) Limited & Others [2018] EWHC 3363 (TCC)

10 December 2018

Simon Hale of 4 New Square represented Costplan Services (South East) Limited. The decision of Waksman J is considered by Nicholas Broomfield of 4 New Square.