



NEW SQUARE

## Nicholas Davidson QC

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*He's a great leader on complex cases who is always calm and measured.*

- Chambers & Partners

**Nicholas Davidson QC is a commercial litigator, mediator and arbitrator who has been described in the Legal 500 as being "an exceptional silk" (2019) with "a charming manner, which puts clients at ease" (2016) and by Chambers & Partners (2019) as someone who "produces masterpieces. The work, the detail, the focus that goes into it - it is outstanding; it blows me away." "You want him on your side and not on the other side."**

Also as "one of the leading trial lawyers of his generation with excellent client skills" (2015), displaying "mastery of the law and practice of insurance" (2011); and in Chambers and Partners as "a great leader" (2017) "extremely competent, user-friendly and authoritative" (2016) and "a must-have barrister who is mustard when it comes to identifying the salient points" (2010) and a "master cross-examiner" (2011) and "a sensational cross-examiner and advocate" (2013). He is equally at home in trial work and in appellate work at all levels ("listened to" was another).

Always aiming to maintain a wide breadth of knowledge of the law and commercial awareness, he is committed both to understanding his clients' angles on their cases and to readiness to search for new angles. Despite having conducted many large cases for the defence, he does much claimant work. He is particularly interested in claims about investment advice and management.

Other directory (and in one case *The Lawyer*) comments in his time in Silk have been:

"A "fantastic" litigator and arbitrator, particularly noted for his skills in cross-examination and advocacy."

"Nicholas Davidson QC is "clearly one of the top guys at the Bar" and is held in the highest regard. Junior lawyers often turn to him for advice and he "rather generously and happily imparts his knowledge to them."

"Very approachable"

"Breathtaking intellect"

"Fearsome intellect"

"Sharp intellect and cuts quickly to the issues"

"A good advocate with great court presence"

"Frighteningly intelligent and incisive"



"An excellent advocate on weighty matters"

"Dry but hugely talented"

"Terrifying intellect and precision"

"Top-notch"

"Hot stuff"

"Incredibly bright"

"One of the barristers of choice for the defence of large issues"

"Names such as Nicholas Davidson QC ... have the most impressive professional negligence track records at the Bar"

"Wide-ranging experience"

"Excellent"

"Top professional negligence silk"

*Nicholas is a past chairman of the Professional Negligence Bar Association and is also a member of the British Insurance Law Association, Chancery Bar Association, COMBAR, Bar European Group and Society for Computers and Law.*

*He has given numerous talks to the Professional Negligence Bar Association and Professional Negligence Lawyers' Association, particularly including the topics of professional insurance needs, obligations, and ability to exclude or restrict liability, and spoke on "Claims against Funds and Investment Managers" at the 2011 COMBAR North American meeting.*

## Privacy Policy

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## Areas of Expertise

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### Insurance & Reinsurance

Nicholas regards the interpretation of documents as an exceptionally interesting area, and is intrigued by the challenges, including those of professional indemnity policies with the requirements to conform to Minimum Terms, not to mention the special context of solicitors' policies' with the Assigned Risks Pool policy in the background.

Nicholas has extensive experience, as advocate and arbitrator, of insurance law, especially professional indemnity insurance law, and the practical operation of policies, including dishonesty issues and the potentially vexing subjects of "notification" of circumstances and the composite nature of the insurance. Recent work for Quinn Insurance has seen cases which have interested many – *William McIlroy (Swindon) Ltd v. Quinn Insurance Ltd* [2010] EWHC 2448 (TCC) (arbitration clause; time bar; relevance of ICOB; now on its way to the Court of Appeal); *Quinn Insurance v. The Law Society* [2010] EWCA Civ 805 (on the extent to which insurers can access documents, on which decision he has delivered explanatory talks to the British Insurance Law Association and the Professional Negligence Bar Association); *Kidsons v. Underwriters at Lloyds* [2008] EWCA Civ 1206 (application of minimum terms; notifications of Circumstances and their effect). *Quorum A/S v. Schramm* [2002] 1 Lloyd's Rep. 249 involved unusual interpretation problems and exploration of the London and French markets for a Degas pastel thought to be of unique interest to the Greek shipowning community.

He frequently deals with issues relating to fraud exceptions and reimbursement claims based on dishonesty.



He is experienced in the procedures where dishonesty is under consideration, and has conducted “indemnity cons” and is familiar with issues as to the handling of subsequent arbitrations.

## Qualifications & Memberships

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M.A. (Cantab.)

## Insights

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### **Not so common common law**

9 July 2019

Not so common common law, suggests Nicholas Davidson: Interest, the Scots in the House of Lords and the English in the Court of Appeal.