



Jonathan Fletcher-Wright

Year of call 2010

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Jonathan has a thriving practice in commercial law and insolvency law. Following a Modern Languages degree and a postgraduate diploma in law, Jonathan started pupillage at Kings Chambers in 2011, becoming a full member of chambers in 2012. His specialist areas include commercial litigation, company and shareholder disputes, insolvency, banking and financial services. He also has a strong interest in conflict of laws and jurisdictional disputes.

Jonathan appears regularly in the High Court, and has experience at Court of Appeal level. This has included representing the successful Respondent in *Morris Homes Ltd v Cheshire West and Chester Council* [2020] EWCA Civ 1516, a dispute about the correct interpretation of a contractual clause, with potentially extremely significant financial implications.

Jonathan has a keen interest in law as an academic discipline; in 2022-2023 he took a sabbatical to study for an LL.M (Master's Degree in Law), in which he focused on the legal impact of novel technologies such as cryptoassets and smart contracts.

In his practice, Jonathan aims to provide solicitors and lay clients with a practical, commercially-minded service that focuses on their needs. Jonathan's work brings him into contact with many different sectors and industries. He prides himself on seeking to understand their priorities and objectives, and helping to achieve practical and efficient solutions to complex legal problems.

Outside of chambers, Jonathan is a keen fan of F1 and motorsports generally, and plays both Rugby Union and Touch Rugby.

Expertise

ADR Arbitration

Jonathan has extensive experience in advising on alternative dispute resolution and settlement tactics, as well as representing clients in arbitrations and mediations. A particular career highlight was pursuing a successful appeal to the High Court against an arbitrator's decision, in an industrial dispute involving the steel industry. Jonathan is an Associate of the Chartered Institute of Arbitrators.

Banking and Finance

In this field, Jonathan has extensive experience representing banks and financial institutions, as well as their customers (including small businesses and individual consumers).

As well as his trial work in this area, Jonathan also deals with interim remedies and applications, including applications seeking disclosure of documents or

information. This type of application is particularly useful in the context of banking and financial services, and Jonathan contributes a chapter on this subject to the practitioner text *Commercial Litigation: Pre-Emptive Remedies* (Thomson Reuters).

As part of his recent Master's Degree in Law, Jonathan carried out research into the FCA's Consumer Duty and its likely impact on banking and consumer credit disputes.

Commercial Litigation

Commercial litigation forms the backbone of Jonathan's practice. He represents clients in contractual disputes of all kinds, and involving all sorts of different sectors. Jonathan appreciates the importance of understanding a client's business, and being able to communicate highly technical details effectively to the court. Some particular highlights include:

- A trial concerning CNC machines used for specialist industrial processes. This involved detailed expert evidence about whether the equipment had been maintained and serviced properly.
- A dispute about the correct construction/design and installation of staircases at a substantial property development.
- A dispute involving misrepresentation in the context of the sale and purchase of a collection of classic cars.
- Representing the successful Respondent in the Court of Appeal case of *Morris Homes Ltd v Cheshire West and Chester Council* [2020] EWCA Civ 1516, a dispute about the correct interpretation of a contractual clause.
- Being led by a senior member of chambers in a high-value contractual dispute over the processing of industrial waste, raising numerous issues of both fact and law.

Jonathan is also interested in commercial disputes involving novel technologies. As part of his recent Master's Degree in Law, he carried out research into errors made by smart contracts, and the extent to which the doctrine of unilateral mistake can apply in this scenario. He also studied and wrote in depth about cryptoassets, their legal status, and the remedies available in cases of fraud or theft.

Company

Jonathan practices extensively in company and partnership law, such as shareholder disputes, and disputes over the dissolution of partnerships. He frequently acts in unfair prejudice petitions under s.994 Companies Act 2006.

He regularly deals with claims involving allegations of breach of duty by company directors. A particular career highlight was being led by a senior member of chambers, in a case where a large corporate group wished to pursue a former director for carrying out an extensive fraud against the business, over a protracted period.

As well as acting in this area, Jonathan regularly delivers seminars and training on this topic. In particular, he has given talks to law firms and other barristers on minority shareholder remedies, and on the enforceability of post-termination restrictive covenants against former senior employees.

Insolvency

Jonathan represents officeholders, creditors, businesses and individuals in financial distress. He is well-used to urgent and interim work in this sector, with extensive experience of seeking or defending injunctions, validation orders, and other interim remedies in the insolvency context.

A major career highlight in this area of work was appearing for the successful Respondent in the appeal case of *Scott-Hake v Frost* [2020] EWHC 3677 (Ch); [2021] BPIR 414, before Marcus Smith J. This broke new ground as the first ever reported case to discuss the "call on contributories" procedure – that is, rules 7.81 to 7.91 of the Insolvency (England and Wales) Rules 2016 – in the context of an insolvent partnership, rather than a limited company.

Jonathan writes and researches on insolvency law. He is a regular contributor to Kings Chambers' regular insolvency newsletter, *Kings Insolvency*. He also contributes a chapter on provisional liquidation to the practitioner text *Commercial Litigation: Pre-Emptive Remedies* (Thomson Reuters).

On his recent Master's Degree in Law, Jonathan put together a research proposal looking at restructuring plans for companies in financial distress, and on the suitability of the cross-class cram-down procedure.

Memberships

- Northern Circuit
- Chancery Bar Association
- Northern Circuit Commercial Bar Association
- Associate Member of CI Arb

Qualifications

Academic qualifications

- 2010 – LL.B Hons, Bar Vocational Course (The College of Law)
- 2009 – Graduate Diploma in Law (The College of Law)
- 2008 – BA Hons, Modern Languages (University of Oxford, Trinity College)

Academic awards

- 2009 – Bedingfield Scholarship (Gray's Inn)
- 2005 – Chadwick Exhibition in Modern Languages (Trinity College, Oxford)

Recommendations

Chambers UK 2023

“Brilliant junior and a star of the future. Also an excellent inquiry advocate.”

“Great client service, always approachable and timely in providing responses. He is pragmatic and able to take opposing views into consideration.”

Legal 500 2023

“Jonathan has a great ability to understand the issues of a matter and translate that into written submissions through pleadings or a skeleton argument that are clear, succinct and brings out the best arguments. He is extremely thorough and covers all bases to ensure the strongest position can be presented for the client. Jonathan's written approach is complemented by his advocacy which is considered, calm and ensures the judge has the key points.”

Chambers UK 2022

“He is very user-friendly and gets on with things with very little fuss despite any challenges involved. He is very good in both written and advocacy and has a good bedside manner with clients.”

Legal 500 2022

‘Jonathan is a rising star. An extremely competent Junior who is very thorough and academically strong.’

Chambers UK 2021

“His technical work is excellent.”

Legal 500 2021

“He is very approachable and his pleadings; advocacy and advice are first rate. He is going to be a star at the bar.”

Chambers UK 2020

“Excellent at really absorbing all the complex patterns of the issues and tearing them down into core arguments.” “He has a good future ahead of him.”

Chambers UK 2018

“He has a superb work ethic and is very personable.” “He endears himself to judges.”

Accreditations

