

Lucas Fear-Segal

Call 2014



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Lucas practises in insurance, property damage, professional negligence, commercial dispute resolution, and commercial fraud claims.

He has for a number of years been listed in both Chambers UK and the Legal 500 for Insurance and Reinsurance, and his Property Damage practice.

The directories have described him as a “*formidable intellect*” who provides “*commanding advocacy*” with “*absolutely ferocious cross examination skills*”.

Many of his cases include an international element, and he is regularly instructed in the DIFC and the ADGM Courts.

Expertise

Art, Cultural Property & Luxury Assets

Lucas acts in a range of matters concerning art, cultural property, and luxury assets including:

- Recovery and restitution of property following thefts, seizures, insolvencies, etc.
- Advising institutions and owners in relation to loans of artwork
- Insurance coverage disputes
- Claims for damages following the destruction, loss or diminution in value of rare objects

- Negligence claims arising from misattribution, failure to identify forgeries, etc.

He has two niche practice areas concerning luxury cars, and jewels and jewellery (particularly in relation to their use as collateral for commercial transactions).

In early 2016 Lucas was seconded to the Restitution Department of Sotheby's, which identifies and deals with potential claims to artworks looted by the Nazis during the Third Reich.

Commercial Dispute Resolution

Lucas appears as sole or junior counsel in a range of commercial and contractual disputes, and often in "business critical" litigation where there are major conflicts of evidence.

Many of his cases include an international element, and he is regularly instructed in the DIFC and the ADGM Courts.

Notable Commercial Dispute Resolution cases

European Metal Recycling Ltd v Bulk Haulage (European) Ltd [2022] EWHC 602 (Comm)

Multi-million pound claim concerning the collapse of an industrial tipping ram.

Alsanad v Al Humaidi

A \$10m debt guarantee dispute between two prominent Kuwaiti businessmen (led by Bob Moxon Browne KC).

X v Y

Instructed as part of a team of counsel led by Laurence Rabinowitz KC in an arbitration concerning a US\$200m grain crop joint venture.

Campbell v Campbell

An account in the ChD following the dissolution of a multi-million US\$ international jewellery business (led by Neil Hext KC).

Commercial Fraud

Lucas has fought for, and secured, dozens of findings of dishonesty at trial.

He is regularly praised in the directories for his ferocious cross examination skills, and relishes appearing in cases in which there are major conflicts of evidence.

His commercial fraud practice overlaps with his insurance and professional negligence practices – in which he is often counsel of choice for insurers facing dishonest or fraudulently exaggerated claims.

Notable Commercial Fraud cases

HRH Prince X v Y Solicitors

Representing a prominent member of a Middle East Royal Family in a €10m claim concerning the fraudulent conduct of purchase arrangements for a series of prestige sports cars.

Sinha v Taylor [2022] EWHC 1096 (Comm)

Represented the successful claimant at a trial, proving deceit, fraudulent misrepresentation, and an unlawful means conspiracy.

X insurers v Y solicitors

An arbitration front of Jeffrey Gruder KC, led by Bob Moxon Browne KC. Successfully proved that a pair of solicitors had dishonestly conducted a series of property transactions.

Campbell v Campbell

An account in the ChD following the dissolution of a multi-million US\$ international jewellery business inherited by two brothers, each of whom accused the other of massive frauds on the company (led by Neil Hext KC).

Insurance & Reinsurance

Lucas has been listed in both Chambers UK and Legal 500 for his practice in this area for a number of years.

He has a diverse insurance practice, covering a broad range of non-marine risks, both in Court and in Arbitration – and is regularly instructed by insurers in cases where policyholder dishonesty is alleged or suspected.

Lucas also has a niche specie insurance practice (concerning fine art, jeweller's block, exhibition risks, cash in transit, etc.) which overlaps with his Art and Cultural Property practice.

Notable Insurance & Reinsurance cases

Lals v (1) Emirates Insurance (2) Siaci Insurance Brokers [2022] DIFC CFI 073

The first COVID-19 business interruption case to be decided by the DIFC Courts. Led by Neil Hext KC

Global v Global [2023] ADGMCA 0001, [2021] ADGMCFI 0008, and [2021] ADGMCFI 0005

The ADGM's first substantive appeal, concerning a US\$60m insurance claim for damage to a private jet. Led by Charles Dougherty KC.

Emirates Retakaful v Trust International CFI 001/2020

A DIFC claim by a Bahraini reinsurer seeking an indemnity under a retrocession contract with a Saudi Arabian reinsurer. Led by Charles Dougherty KC.

Maccaferri v Zurich [2017] Lloyds Rep IR 200

Leading Court of Appeal authority on notification in public liability insurance.

Bluebon v (1) Ageas (2) Aviva (3) Towergate [2017] EWHC 3301 (Comm)

Preliminary issue as to whether an electrical installation inspection stipulation amounted to a true warranty or a suspensive condition.

Great Lakes v Western Trading [2016] Lloyd's Rep I.R. 643

Leading Court of Appeal authority on the measure of indemnity following an increase to the value of land as a result of an insured peril.

X insurer v Y insurer

Acted as sole counsel for the successful party in an arbitration before James Drake KC about which insurer was liable to meet a group of claims made against solicitors over an extended period of time.

X insurers v Y solicitors

An arbitration front of Jeffrey Gruder KC, led by Bob Moxon Browne KC. Successfully proved that a pair of solicitors had dishonestly conducted a series of property transactions.

X Medical Malpractice Insurers v Y Public Liability Insurers

Confidential coverage arbitration before Christopher Symons KC concerning whether claims made by victims of sexual assaults by a doctor should be considered under medical malpractice insurance, or by a public liability insurer. Led by Bob Moxon Browne KC, for the successful party.

Life & Health

Lucas's insurance practice has a particular focus on life and health risks.

In addition to his advisory work, which is principally focused on policy response issues, he often attends inquests on behalf of Life Insurers following the death of a policyholder.

Notable Life & Health cases

Re: X

Representing a premiership footballer in a coverage dispute with his Temporary Total Disablement insurers.

Re: Muhammad Naviede

8 day jury inquest into the light aircraft crash in which the businessman Muhammad Naviede was killed.

Re: Alexander Perepilichnyy and Home Secretary v HM Senior Coroner [2017] 3 All ER 764

Five week Inquest into the sudden death of Russian oligarch and whistleblower Alexander Perepilichnyy in front of the Recorder of London at the Old Bailey. Lucas' cross examination received significant press coverage.

Re: J QC

Inquest into the death of a well-known barrister on the railway.

Product Liability

Lucas' Product Liability practice forms a part of his wider Property Damage and Insurance work.

He has appeared in dozens of cases concerning fires and floods caused by white goods.

He has a particular interest in cases which concern the scope and application of s41 CPA 1987, and claims made by non-consumer claimants.

Notable Product Liability cases

A&B Engineering v Edmundson Electrical [2021] EWHC 1836 (TCC)

Representing an M&E contractor in litigation arising from the Potato Wharf fires.

Professional Negligence

Lucas has a broad professional negligence practice, and has acted in dozens of cases in which serious allegations of wrongdoing or negligence are made against a variety of professionals.

He usually acts for PI insurers. Most of his cases concern solicitors, accountants, brokers, valuers, or construction professionals.

Notable Professional Negligence cases

X insurers v Y solicitors

An arbitration front of Jeffrey Gruder KC, led by Bob Moxon Browne KC. Successfully proved that a pair of solicitors had dishonestly conducted a series of property transactions.

Bluebon Ltd v (1) Ageas (2) Aviva (3) Towergate Underwriting [2017] EWHC 3301 (Comm)

Representing brokers, alleged to have failed properly to advise as to the requirements of a policy term, at a preliminary issue trial concerning the construction of an electrical installation inspection stipulation, and whether it amounted to a true warranty or a suspensive condition.

Shepherd v Byrne & Partners LLP [2017] EWHC 758 (Ch)

Claim concerning a criminal solicitor's duty to give tax advice.

Property Damage

Lucas has been ranked in Chambers UK for his practice in this area for a number of years. He accepts instructions to advise, draft, and appear in all matters concerning property damage.

He has extensive experience of claims concerning property damage caused by:

- Fires: Arson, incendiary electrical faults, bonfire spread and failures to extinguish, kitchen conflagrations (esp toasters and tumble dryers), defective partitioning and suppression measures, etc.
- Flood: Burst pipes and bad plumbing, faulty boilers, defective architectural design and prevention systems, water run-off from neighbouring properties, etc.
- Trees and vegetation: Ingress of roots causing subsidence and direct damage, Japanese knotweed, etc.
- Contamination: Oil leaks, commercial pollution, etc.
- Other: escapes of animals, inappropriate crop-spraying chemical selection, spermicidal equine lubricant, "sonic booms" caused by argon fire suppression systems, etc.

Lucas has a particular interest in the legal niceties of property damage claims concerning heritage buildings. Several of his cases have concerned the damage or destruction of listed buildings.

His related insurance and professional negligence practice means that he is ideally placed to advise in cases where questions of policy coverage, or the possibility of a subrogated recovery against a construction or other professional, are anticipated.

Notable Property Damage cases

Bluebon Ltd v (1) Ageas (2) Aviva (3) Towergate Underwriting [2017] EWHC 3301 (Comm)

Preliminary issue trial (High Court).

Great Lakes Reinsurance UK (SE) v Western Trading Ltd [2016] Lloyd's Rep I.R. 643

Measure of indemnity following burning of a listed building (Court of Appeal).

X v London Borough of Y

£350k claim arising from water damage to a landmark Victorian building in central London.

Awards

- Arden Senior Scholarship for pupillage, Gray's Inn
- Lord Justice Holker award for BPTC, Gray's Inn
- Dame Ann Ebsworth award for GDL, Gray's Inn
- QMUL Centre for Commercial Law Studies full scholarship for LLM
- Titular Scholarship, Robinson College, Cambridge
- Trevelyan prize for History, Robinson College, Cambridge

Education

- BPTC (Outstanding), City University
- LLM (Distinction), Queen Mary
- GDL (Distinction), City University
- BA (First Class), Robinson College, Cambridge

Recommendations

"Lucas Fear-Segal shows time and time again that when the pressure is on, he can deliver. His deft handling of particularly knotty insurance issues has really showcased his wide-ranging knowledge."

"He is excellent. Lucas is very well prepared. He makes everything simple and straightforward."

"One of the best juniors I have ever worked with, Lucas is simply outstanding and an all-round complete barrister."

"Lucas Fear-Segal performs every time. Judges love his ability to dissect the complexities of claims into

palatable submissions.”

“He inspires unwavering confidence. His sharp analytical skills are matched by his advocacy.”

“Lucas is a highly impressive advocate – he is quick on his feet and has impeccable cross-examination skills.”

Chambers UK 2024

“Impressive. Very good on paper and analysis. Strong advocacy. Very easy to work with.”

Legal 500 2024

“He demonstrates an ability to digest swathes of information and present it concisely.”

“Lucas is incredibly thorough in preparation and drafting and with his advocacy.”

“He has a mastery of the finer details.”

“Lucas can be relied on for all types of property damage advice and advocacy covering complex policy coverage arguments. He possesses robust drafting skills and strong interpersonal skills.”

“He oozes confidence and is a class act.”

“Lucas has an impeccable academic record which shows itself in legal analysis, at which he excels.”

Chambers UK 2023

“One of the best junior advocates at the insurance Bar. Clients love him.”

Legal 500 2023

“Lucas is excellent”

“He is thorough, concise and robust in his drafting”

“His cross-examination skills are excellent”

“He is thorough, concise and robust on paper”

“He’s also an excellent advocate who is well prepared and well informed on the facts”

“His cross-examination skills are excellent and he is able to deal with twists and turns in a case as it unfolds at trial in a most impressive manner”

Chambers UK 2022

“An excellent advocate combining a forensic mind with formidable advocacy skills”

“He cuts straight to the relevant issues and has demonstrated an encyclopaedic knowledge of the area”

Legal 500 2022

“He truly embraces his files, he’s procedurally astute and is not afraid to get his hands dirty”

“He has an excellent grasp of the facts of the case, his advice is always commercial and practical and he is clearly cognisant of the client’s commercial concerns” “He provides very strategic, cost-effective advice and can draft pleadings on the technical aspects of a claim”

“He is an astute and industrious lawyer with a keen eye for detail”

Chambers UK 2021

“Absolutely ferocious cross examination skills”

“Formidable intellect” and “commanding advocacy”

“Extremely diligent, strategic and commercial, he can handle last-minute complex instructions efficiently and with success”

Legal 500 2021