



## David Hopkins

Year of call: 2013

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*"David is an excellent advocate and one of the best juniors in this area. His written and oral submissions are compelling, and he is great on his feet when dealing with questions from the bench."* The Legal 500 UK 2024

David is a senior junior whose practice spans commercial, construction, and financial services disputes, professional discipline and regulation, and public law. David is regularly instructed in proceedings in the Commercial Court, the Chancery Division, the Technology and Construction Court (TCC) and the Administrative Court and before regulators' disciplinary tribunals. A substantial proportion of David's practice has an international element, particularly in the field of international arbitration, where he has acted in disputes subject to the International Chamber of Commerce (ICC), London Maritime Arbitrators Association (LMAA), Singapore International Arbitration Centre (SIAC) and Abu Dhabi Commercial Conciliation and Arbitration Centre (ADCCAC) rules. He is a Technology & Construction Bar Association (TECBAR) accredited adjudicator and accepts appointments via the TECBAR adjudication scheme.

David is recommended as a leading junior in Chambers and Partners, The Legal 500, Chambers Global, and The Legal 500 Asia Pacific. He is a contributing editor of the Auction, Bailment and Banking and Bills of Exchange volumes of Atkin's Court Forms (2023 and 2018 issues) and the chapter on determination clauses in Wilmot-Smith on Construction Contracts (4th edn, 2021). Prior to coming to the Bar, David worked in the City for five years as a foreign exchange and interest rates derivatives structurer.



## Areas of expertise

Administrative and Public

Banking and Financial Services  
Commercial  
Construction  
Energy and Natural Resources  
Property  
Regulatory and Disciplinary  
Sport

## Banking and Financial Services

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David brings practical experience of banking and financial services to his work, having previously worked for five years as a foreign exchange and interest rates derivatives structurer. He has, for counsel, an almost uniquely deep understanding of financial markets and products across all asset classes.

He acts in claims both for and against banks and other financial institutions and advises both regulators and regulated persons on compliance with the relevant legislation and regulatory framework. David has previously been seconded to both the Financial Conduct Authority (FCA) and Financial Ombudsman Service (FOS), giving him a deep insight into the work of the regulator and ombudsman in practice.

### Cases of note

- ***Confidential Quincecare claim*** – Led by Andrew Tabachnik KC, advising the liquidators of a company which was defrauded by its former directors in a potential claim for breach of contract/ duty by the company's bank in not refraining from making payments out of the company's account, totalling over £12 million, at the directors' instructions when it was on notice those instructions might be attempts to defraud the company.
- ***Kang & Ors v Meridian Park Limited*** – Ongoing in the London Circuit Commercial Court. Acting for the defendant to a £2 million claim alleging breach of the general prohibition in s 19 of the Financial Services and Markets Act 2000 (FSMA) due to the defendant not being authorised to establish or operate a collective investment scheme (CIS).
- ***Motor Finance Commission Complaints*** – Led by James Strachan KC, advising the Financial Ombudsman Service Limited (FOS) in respect of complaints regarding motor finance commission paid by lenders to brokers. Particular issues include antecedent negotiations and unfair relationships under the Consumer Credit Act 1974 and the law on secret commissions.
- ***FX dispute*** – Acting for a claimant holiday company seeking to recover around £800,000 losses which arose as a result of its foreign exchange broker's unauthorised trading. Settled shortly after issue in favour of the claimant.
- ***Confidential cryptocurrency and FX dispute*** – Led by Charlie Manzoni KC SC, together with Anna Lintner, advising the victims of a USD 100 million cryptocurrency and foreign exchange (FX) fraud perpetrated across multiple jurisdictions. Particular issues include obtaining Norwich Pharmacal / Bankers Trust type relief, tracing cryptocurrency assets, and private international law issues of choice of law and jurisdiction.
- ***Illiquid exotic assets investment fund*** – Advising an investment fund proposing to open a new fund investing in illiquid exotic assets on compliance with FSMA and issues concerning the FCA perimeter and the Financial Promotions Regulations, particularly with respect to collective investment schemes.
- ***Financial Conduct Authority (FCA) regulation of peer-to-peer lenders*** – Advising the Financial Conduct Authority regarding the authorisation and regulation of peer-to-peer lenders, such as Zopa, Funding Circle and RateSetter. Particular issues included article 36H of the Regulated Activities Order and activities related to CISs, alternative investment funds (AIF) and deposit taking.

## Recommendations

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### Directory rankings:

- Construction, Energy and Infrastructure, Leading Junior – Tier 1, Legal 500 Asia Pacific
- Construction, Leading Junior – Band 4, Chambers and Partners
- Construction, Leading Junior – Band 4, Chambers and Partners Global
- Construction, Leading Junior – Tier 4, Legal 500 UK
- Professional Disciplinary and Regulatory Law, Leading Junior – Tier 4, Legal 500 UK

### Recommendations:

- *"David is a pleasure to work with and combines technical excellence with nous and hard work."* Chambers and Partners Global 2024
- *"David provides excellent service, particularly when participating in conferences with lay clients. He will bear in mind the overall commercial issues and the big picture, as well as the fine detail of the points in dispute."* Chambers and Partners Global 2024
- *"David is an excellent advocate and one of the best juniors in this area. His written and oral submissions are compelling, and he is great on his feet when dealing with questions from the bench."* The Legal 500 UK 2024
- *"Solid application to the facts, and a good manner in applying the legal framework."* The Legal 500 Asia Pacific 2023
- *"His particular strength is advising in a way that is very client friendly, he cuts out legal jargon and gets to the point."* The Legal 500 Asia Pacific 2021
- *"Sharp, driven, and a pleasure to work with."* The Legal 500 Asia Pacific 2020
- *"Exceptionally capable and extremely versatile."* The Legal 500 Asia Pacific 2019

## Memberships

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- AllBar, supporting those with a disability who are practising at the Bar in England and Wales, or aspiring to do so
- Association of Regulatory and Disciplinary Lawyers (ARDL)
- Bridging the Bar mentor, 2022
- Chancery Bar Association (ChBA)
- Commercial Bar Association (COMBAR)
- Constitutional and Administrative Law Association (ALBA)
- Financial Services Lawyers Association (FSLA)
- International Bar Association (IBA)
- Inter-Pacific Bar Association (IPBA)
- London Common Law and Commercial Bar Association (LCLCBA)
- Professional Negligence Bar Association (PNBA)
- Society of Construction Law (SCL)

- Technology & Construction Bar Association (TECBAR)

## Qualifications

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### Education

- 2011–2013: BPTC, BPP Law School (part-time), Very Competent
- 2009–2011: GDL, BPP Law School (part-time), Distinction
- 2007–2009: MPhil, Economics, Oriel College, University of Oxford
- 2004–2007: BA, PPE, University of York, Starred First Class (first in year)

### Scholarships and Prizes

- 2011 Inner Temple Exhibition Scholar (BPTC)

## Additional Information

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### Appointments

- 2020–present: Member of the TECBAR adjudicators panel
- 2019: Member of panel appointed by the IAAF providing legal advice and representation to athletes and officials in disputes arising out of the 2019 World Athletics Championships in Doha

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