

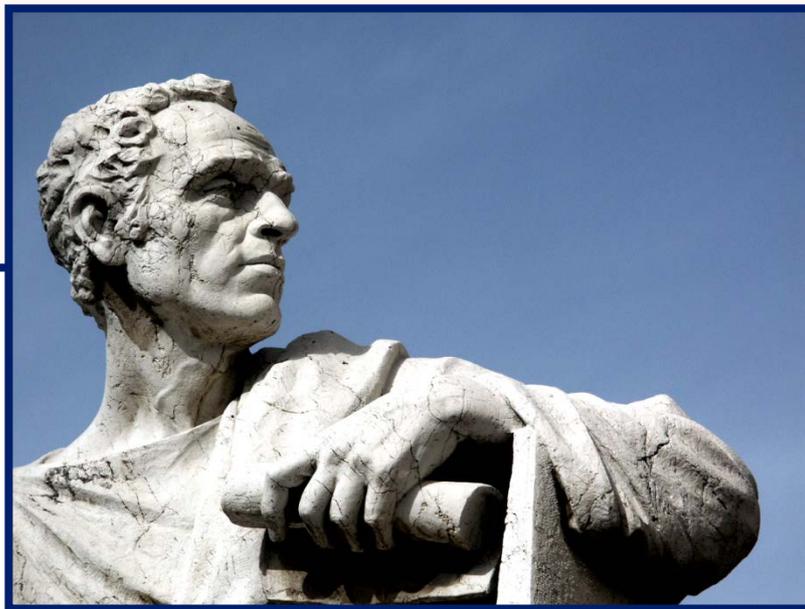


## Professional Negligence & Liability General Update

Held at : Broadway House, Tothill Street, London, SW1H 9NQ

**7 March 2017 - 7pm – Dinner**

**8 March 2017 - 8.45 – 5.30**



**Introduction:** Standards of skill and care are a moving target at the moment and where the line for professional liability is crossed requires practitioners to keep a close eye on developments. This event will provide an insight into new case law as well as practical tips on trial procedure, expert evidence and trends emerging.

**temple**  
legal protection

### Speakers:

Chairman: Ben Patten QC – 4 New Square  
Gary Blaker QC – Selborne Chambers  
Simon Wilton – Hailsham Chambers  
Clare Dixon – 4 New Square  
Tim Constable – Dentons LLP  
Karl Cameron - Blake Morgan  
and Clive Beer - Savills  
Robert Crossingham – Weightmans LLP  
Anil Virji – Civil & Commercial Costs Lawyers  
**Further Speakers to be confirmed**



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## Agenda

**9 – 9.30 Registration and Refreshments**

**9.30 – 9.35 PNLA Introduction**

**9.35 – 9.45 Richard Collier – Judicial Assistant – Court of Appeal**

Richard will introduce himself as an observer at this event for the Fixed Recoverable Costs Review being undertaken by Lord Justice Jackson . For those that cannot attend the event the contact email address for the consultation is [fixed.costs@judiciary.gsi.gov.uk](mailto:fixed.costs@judiciary.gsi.gov.uk).

**9.45 – 10.30 Chairman's Address – Ben Patten QC – 4 New Square Chambers**

Ben's expertise lies in a range of commercial work involving construction disputes, professional liability claims, commercial litigation and insurance and reinsurance disputes. Described as "calm under pressure and always willing to stick his neck out on a case". Recent cases include: P&P Property Ltd v Owen White & Catlin LLP & Anor [2016] EWHC 2276 (Ch) (30 September 2016); Allen Tod Architecture Ltd v Capita Property And Infrastructure Ltd [2016] EWHC 2171 (TCC) (26 August 2016); Sinclair & Anor v Dorsey & Whitney (Europe) LLP & Ors [2015] EWHC 3888 (Comm) (20 November 2015); Bloomberg LP v Malling Pre-Cast Ltd [2015] EWHC 2858 (TCC) (16 October 2015) and more.

**10.30 – 11.15 Property Fraud and Professional Negligence – Gary Blaker QC - Selborne Chambers**

Gary practises in all aspects of property law, professional negligence and commercial chancery litigation. He took silk in 2015. He has particular expertise in landlord and tenant (commercial and residential) and real property (boundaries, easements and mortgages) matters. His commercial/chancery work covers professional negligence, civil fraud, partnership and contractual disputes. Recent cases include: P&P Property Ltd v Owen White & Catlin LLP & Anor [2016] EWHC 2276 (Ch) (30 September 2016); Van Collem & Ors v Van Collem & Ors [2015] EWHC 2258 (Ch) (29 July 2015); Spielplatz Ltd v Pearson & Anor [2015] EWCA Civ 804 (28 July 2015) and Watson Farley and Williams (a firm) v Ostrovizky [2015] EWCA Civ 457 (12 May 2015) and more

**11.15 – 11.30 Refreshments**

**11.30 – 12.15 Brokers Negligence – Simon Wilton – Hailsham Chambers**

Simon specialises in professional negligence, professional regulatory, and professional indemnity insurance disputes. Since 2016 he has been head of the Professional Negligence Group at Hailsham Chambers. "He is personable, enthusiastic and his advocacy skills are second to none. His manner in conference is impeccable and his pleadings are thorough and robust. He gets to the heart of a case very quickly, is extremely intelligent and makes even the most dry of cases fun. It is always a pleasure to work with him" Chambers UK 2016. Recent cases include DB UK Bank Ltd v Jacobs Solicitors [2016] EWHC 1614, Ahmad & Ors v Bank of Scotland Plc & Ors [2016] EWCA Civ 602, and Tinseltime Ltd v Roberts & Ors [2013] PNLR 4.

**12.15 – 1 Tips on Trials – Tim Constable – Partner – Dentons LLP**

Tim is a partner in the Financial Markets and Commercial Disputes practice at Dentons. Tim acts for numerous lenders, corporates and individuals in claims for breach of duty against a variety of professional advisers. Tim lectures regularly on professional negligence in both England and the Republic of Ireland. His most recent cases include Barclays Bank PLC v Christie Owen Ltd (trading as Christie & Co) 2016 EWHC 2351 (Ch)

**1.00 – 2.00 Lunch**

**2.00 – 2.30 Costs and Negligence – Anil Virji – Civil and Commercial Costs Lawyers Ltd**

Anil is Head of Costs at Civil & Commercial Costs Lawyers. He is responsible for the operational running of the business. Anil has over 20 years' experience in dealing with all aspects of contentious costs. He was the first Costs Lawyer to be made Partner in a law firm Anil has been instructed in all areas of civil litigation ranging from group actions, libel, commercial disputes professional negligence, clinical negligence and matrimonial cases. He is an experienced advocate and as a Costs Lawyer has rights of audience.

**2.30 – 3.15 Professional Negligence and Indemnity Insurance Update – Clare Dixon – 4 New Square Chambers**

Clare practises in three main areas: professional liability, insurance and commercial litigation. Clare believes in taking a tough but commercial approach to litigation and relishes advocacy in all its forms. She is recommended as a Leading Junior in the legal directories for Professional Negligence and Insurance: "A no-nonsense terrier in court, who will tenaciously fight your corner" and "Calm and collected, hardworking, and a safe pair of hands" (Legal 500, 2016). Recent cases include: Hogg v Crutes LLP [2016] EW Misc B29 (CC) (01 November 2016); Impact Funding Solutions Ltd v AIG Europe Insurance Ltd [2016] UKSC 57 (26 October 2016); Kagalovsky & Anor v Balmore Invest Ltd & Ors [2015] EWHC 1337 (QB) (13 May 2015); Employers' Liability Insurance "Trigger" Litigation: BAI (Run Off) Ltd v Durham & Ors [2012] UKSC 14 (28 March 2012) and more.

**3.15 – 3.30 Refreshments**

**3.30 – 4.15 The Role of the Expert – Claims against Property Professionals**

**– Karl Cameron – Blake Morgan and Clive Beer - Director and Head of UK Rural Professional Services) - Savills**

Karl is a Senior Associate in the Commercial litigation team, specialising in professional negligence, and deals with moderate to multi-million pound claims against professionals. He has extensive experience of both the property and financial sectors, having acted for banks and other institutional clients for many years. Karl also acts for private individuals and businesses in disputes with third parties or with former advisors. A number of core Directors in Savills are regularly instructed as valuation experts in professional negligence cases involving property-related professionals, including valuers, solicitors, architects, engineers and building contractors. Savills is also regularly instructed to assist with matrimonial matters, disputes involving covenants, rights of way, failures by landlords to repair and other contractual issues. We act for both claimants and defendants and are also frequently instructed as Single Joint Experts.

**4.15 – 5 Defendant Perspective – Robert Crossingham – Partner – Weightmans LLP**

Robert specialises in professional liability, professional disciplinary and regulation, and insurance coverage. The majority of his clients are professional indemnity insurers, although he also acts for private and commercial clients in relation to regulatory/ disciplinary and uninsured matters. He originally qualified as a barrister, retains higher rights of audience as a solicitor advocate, and is an accredited mediator. He sits on the professional disciplinary panel of the Royal Institute of British Architects, and is admitted to the Roll of Solicitors in Northern Ireland. During his career he has acted for all manner of professionals but has a particular expertise in matters concerning property and financial transactions, including claims against surveyors, solicitors, accountants, and financial services professionals. He has been involved in many high value and high profile cases in these fields, as well as in relation to pure insurance policy coverage disputes. He is also instructed by London market insurers concerning matters in N Ireland. He has recent and ongoing experience of representing professionals before the Architects' Registration Board, the RIBA (where he also sits on the panel), the RICS, and the ACCA. He has been consistently ranked in the professional liability field by the legal directories, including consecutive years in the UK Superlawyers directory.

**5.00 – 5.15 Chairman's closing remarks – Questions and discussion**

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#### Terms and conditions in relation to courses, seminars and conferences provided by and on behalf of The Professional Negligence Lawyers' Association (PNLA).

1. The full fee invoice for the course, seminar or conference is payable unless a cancellation is received in writing at least 21 working days before the event, when the fee will be credited less a £75 plus VAT administration charge. Substitutions are welcome at any time subject to any variation in price that might be payable if the substitute is not a member of The Professional Negligence Lawyers' Association..
2. The Professional Negligence Lawyers ' Association and PNLA Training Limited reserve the right to vary or cancel a course, seminar or conference where the occasion necessitates.
3. The Professional Negligence Lawyers ' Association and PNLA Training Limited accept no liability if, for whatever reason, the course, seminar or conference does not take place.
4. Large print versions of the handouts can be made available at the event provided at least ten days ' notice is given to the organisers prior to the event.
5. If there are insufficient rooms in the hotel to accommodate all delegates who require one when an overnight stay is involved, we will try to arrange for rooms of a similar quality in a nearby hotel, but the organisers cannot be held responsible if such rooms are not available.
6. The booking constitutes a legally binding contract. The delegate and/or employer are jointly and severally liable for payment of all the fees due. To the extent permitted by law, neither The Professional Negligence Lawyers Association, PNLA Training Limited or the presenters will be liable by reason of breach of contract, negligence or otherwise for any loss or consequential loss occasioned to any person acting, omitting to act or refraining from acting in reliance upon the course material or presentation of the course, or, except to the extent that any such loss does not exceed the price of the course, arising from or connected with any error or omission in the course material or presentation of the course. Consequential loss shall be deemed to include, but not limited to, any loss of profits or anticipated profits, damage to reputation or goodwill, loss of business or anticipated business, damages, costs, expenses incurred or payable to any third party or any other indirect or consequential losses.
7. The personal information shown and/or provided by you will be held on a database and you may be contacted from time to time by The Professional Negligence Lawyers' Association and PNLA Training Limited with details of programmes and services that may be of interest to you. Sometimes your details may be obtained from or made available to external organisations for marketing purposes. If you do not wish your details to be used for this purpose, please write to: The Database Manager, PNLA, PO Box 1685, Congresbury, Bristol, BS 49 5WQ or email: [yvonne.fairbrother@pnla.org.uk](mailto:yvonne.fairbrother@pnla.org.uk)

#### Competence:

This course can be recorded as 6 hours to show that professional negligence and liability as a learning and development need has been addressed.

#### PNLA Training Ltd

##### - Cost for the LONDON seminar:

PNLA Members: £325 plus VAT (£390)

Non-Members: £400 plus VAT (£480)

##### - Cost for Dinner (7 March @ 7pm)

All welcome £80 plus VAT (£96)

#### Payment Methods:

Direct into bank account or by credit or debit card.

#### Bank Details: HSBC

S/C 40 17 50 - A/C: 51367706

#### Please contact by email

[yvonne.fairbrother@pnla.org.uk](mailto:yvonne.fairbrother@pnla.org.uk) to arrange payment and reserve your place.

Please reserve a place for the following delegate:

Full Name .....

Contact Name .....

Firm .....

Address .....

.....

.....

Telephone ..... Email .....