

# WILBERFORCE CHAMBERS PROFESSIONAL LIABILITY CONFERENCE 2015

## SPECIALIST ISSUES WITH A TWIST

**Location:**  
DoubleTree Hilton – Tower of London,  
7 Pepys Street, London EC3N 4AF

8.15am – 1.00pm | CPD Points: 2.5  
Registration Fee £75 + VAT (£90)  
Monday 23 November 2015

This is our 8th annual Professional Liability Conference and we are focusing on new trends and emerging issues in the field. Our speakers showcase the strength and depth of the expertise at Wilberforce Chambers, whilst the workshops will provide a forum for in depth discussion about topical strategic and procedural problems.

### Timetable

8.15am	<b>Registration and Breakfast</b>
8.50am	<b>Welcome from Chairperson – Joanna Smith QC</b>
9.00am	<b>Ian Croxford QC</b> <b>Professionals accused of fraud</b> <ul style="list-style-type: none"> <li>· Observations on the way professionals work</li> <li>· Up Up and Away! Practical suggestions as to what to do when the balloon goes up</li> <li>· Very seldom is all hope lost – how the legal issues surrounding "the test for dishonesty" and "causing loss in conspiracy" offer scope for fruitful areas of dispute</li> </ul>
9.20am	<b>James Walmsley</b> <b>Limits of loyalty: Fiduciaries</b> <ul style="list-style-type: none"> <li>· The factual sensitivity of fiduciary obligations</li> <li>· How far can fiduciaries deliberately limit their duties?</li> <li>· Accidental limits on loyalty: when will they arise</li> </ul>
9.40am	<b>Emer Murphy</b> <b>The ex turpi causa defence in claims against professionals</b> <ul style="list-style-type: none"> <li>· Scope of "illegality": are regulatory breaches ever sufficient to bar a claim?</li> <li>· Relevance of context: what if the professional advised that the claimant's conduct was not illegal?</li> <li>· Nexus required: what degree of connection is needed between the claimant's illegality and his/her claim?</li> </ul>
10.00am	<b>Break</b>
10.30am	<b>Workshops</b>
<b>Workshop 1</b>	<b>Ben Faulkner and Charlotte Black</b> <b>Claims against (non-fraudulent) professionals brought by a victim of identity fraud in a failed property transaction</b> <ul style="list-style-type: none"> <li>· What causes of action might a victim have against solicitors acting on either sides of a fraudulent transaction?</li> <li>· Ultimately, what test are the courts likely to apply?</li> </ul>

<b>Workshop 2</b>	<b>Nick Medcroft and Harris Bor</b> <b>Claims against bankers &amp; financial services professionals: fraud, unauthorised fund transfers and market misconduct</b> <ul style="list-style-type: none"> <li>· Nature and scope of duty of care</li> <li>· Regulatory duties</li> <li>· Misrepresentation</li> <li>· Claims by third parties</li> <li>· Practical considerations</li> </ul>
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<b>Workshop 3</b>	<b>Clare Stanley QC and Jack Watson</b> <b>Trustees/Fiduciaries' liability</b> <ul style="list-style-type: none"> <li>· Different types of breach of trust</li> <li>· Defences: limitation, beneficiaries' consent, exculpation clauses</li> <li>· Mitigating liability- voidable transactions</li> <li>· Constructive trusts and tracing - recent developments</li> </ul>
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11.45am	<b>Lexa Hilliard QC</b> <b>Claims against insolvency officeholders: Considerations and issues</b> <ul style="list-style-type: none"> <li>· Who is the target – the officeholder or the firm</li> <li>· Who is the claimant – debtor, creditor, or third parties</li> <li>· What is the cause of action</li> <li>· Financial consideration</li> <li>· Regulatory considerations</li> </ul>
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12.05pm	<b>Buffet Lunch</b>
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1.00pm	<b>Finish</b>
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# Booking Form

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**Registration**

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Please make cheques payable to 'Wilberforce Chambers'. An invoice will be sent out upon receipt of your booking, it will include our BACS payment details.

The fee must be paid in advance of the conference to guarantee your place. We regret that no refunds will be made in the event that delegates are unable to attend, Please see our website for booking terms and conditions. Please contact us directly for Group Booking Discounts for 5 or more.

**Two easy ways to book your place:**

Scan and email us a copy of the booking form to: [seminars@wilberforce.co.uk](mailto:seminars@wilberforce.co.uk)

Post a hard copy of the booking form and cheque to:

Seminar Bookings, Wilberforce Chambers, 8 New Square, Lincoln's Inn, London WC2A 3QP

**Booking Contact**

Vanessa Hadebe (+44 (0) 207 306 0102) [seminars@wilberforce.co.uk](mailto:seminars@wilberforce.co.uk)

## PLEASE COMPLETE AND RETURN THE REGISTRATION FORM, CLEARLY STATING WHICH WORKSHOP SESSIONS YOU WOULD LIKE TO ATTEND

Send your cheque made payable to 'Wilberforce Chambers' with your registration form.

I enclose a cheque for	£	to reserve	place(s)
Name(s)			
Position(s)			
Company			
Email			
Contact number			
Address			

**Workshops**

Please select your choice of morning workshop, full details of the workshops are listed in the timetable on the previous page. Places are allocated on a first come first served basis.

MORNING WORKSHOP (Please tick one)

- 1     2     3

For further seminar and registration information, please contact Vanessa Hadebe via email on [seminars@wilberforce.co.uk](mailto:seminars@wilberforce.co.uk) or call us on +44 (0)20 7306 0102

**WORKSHOPS:**

- 1 Claims against (non-fraudulent) professionals brought by a victim of identity fraud in a failed property transaction
- 2 Claims against bankers & financial services professionals: fraud, unauthorised fund transfers and market misconduct
- 3 Trustees'/Fiduciaries' liability