

WILBERFORCE CHAMBERS PROFESSIONAL LIABILITY CONFERENCE 2017

Wilberforce
CHAMBERS

Thursday 12 January 2017
9.00am – 1.00pm | CPD Points: 3.5
Registration Fee £75 + VAT (£90)



Location:
Grange City Hotel, 8-14 Cooper's Row
London EC3N 2BQ

Timetable

8.30am Registration and Breakfast

9.00am Welcome from Chairperson – Ian Croxford QC

9.15am **Joanna Smith QC**
What now for the but for test of causation?
Tiuta v De Villiers explained

- The but for test of causation as expounded in *Kuwait Airways and NyKredit*
- The complications caused by *Preferred Mortgages*
- The decision in the Court of Appeal in *Tiuta v De Villiers*
- The tussle between substance and form
- The future of the but for test

9.35am **Nikki Singla**
Director's Negligence, Exoneration and Indemnity: the good, the bad and the ugly

- The risk confronting corporate and fiduciary services business
- Who would want to sit on a board?
- Defending the negligent but honest
- Responsibility: board or individual?

9.55am **Iain Pester**
Does Stone & Rolls survive following the decision in Patel v Mirza

- The new common law doctrine of illegality as a defence to a civil claim – the Supreme Court decision in *Patel v Mirza*
- Auditors' liability for failing to uncover a fraud: Is *Stone & Rolls Ltd v Moore Stephens* still good law?

10.15am Break

10.45am Workshops (please select one)

Workshop 1 Lexa Hilliard QC, Jonathan Hilliard QC, Emer Murphy
Expert evidence- recent developments and practical difficulties

- How far can you go in getting expert evidence in solicitors' negligence cases?
- The Court's clampdown on expert evidence generally as part of the recent focus on managing cases actively
- Commenting on drafts and instructing experts- how far can you go?
- Changing experts- where are we now?

Workshop 2 Lawrence Cohen QC, James Ayliffe QC, Sebastian Allen

Mitigation by Litigation and Settlement

- The extent of the duty to mitigate by litigating against third parties
- The effects of compromise on causation and quantification
- The boundaries to the power to compromise third party claims
- The format of the workshop will be a short talk on each section followed by a guided work through of a problem based on *Symrise v Baker & McKenzie*

Workshop 3 Joanne Wicks QC, Tim Penny QC, Tiffany Scott
Fraud and the Professional

- Does a claim of fraud help or hinder?
- Problems of pleading and proof
- Limitation issues

12.00pm **Jonathan Seitler QC**
The Top 10 Myths in Professional Liability Litigation

- What are the big shibboleths in our work?
- Where do they come from?
- Which are challengeable and which are not?
- Which are not standing the test of time?
- A modern guide to thinking outside the box

12.20pm **"The 5 minute Pitch" Chaired by Joanne Wicks QC**

Pitches by – Emily McKechnie, James Walmsley, Tom Roscoe, Elizabeth Houghton, Jamie Holmes
Individuals from Wilberforce Chambers will pick a recent case and attempt in turn to persuade you that it is the most important case from a Professional Liability perspective. They will have 5 minutes each. Who is the most effective? You, the audience, will decide.

12.50pm **Closing – Ian Croxford QC**

1.00pm **Lunch (seated buffet)**

Booking Form

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Registration

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I will be paying by:

Cheque* BACS

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

We regret that no refunds will be made in the event that delegates are unable to attend, see website for booking terms and conditions. Please contact us directly for Group Booking Discounts for 6 or more.

Booking forms can be sent by post or email to:

EMAIL: seminars@wilberforce.co.uk

POST: Seminar Bookings, Wilberforce Chambers, 8 New Square, Lincoln's Inn, London, WC2A 3QP (DX 311 Chancery Lane)

CONTACT: Vanessa Hadebe +44 (0)20 7306 0102

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

I enclose a cheque for	£	to reserve	place(s)
Name(s)			
Please let us know if you will be attending the lunch at 1pm			
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.

WORKSHOP (Please tick one)

1 2 3

1. Expert evidence- recent developments and practical difficulties
2. Mitigation by Litigation and Settlement
3. Fraud and the Professional

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