



Professional
Liability

Core strengths

Our international professional liability team stretches across the UK, Western Europe, Middle East and Asia. We can handle the full range of cases in an effective and cost-efficient manner. We operate under the highest standards and pride ourselves on being client focused.

The team has grown significantly in recent years and has a deserved reputation for handling claims arising from transactions ranging in value and complexity.

“ a natural choice for complicated, multiparty professional negligence disputes “
(Chambers 2012)

Our reputation is built on defending professionals in claims, receiving instructions from both insurers and the insured firms themselves, often from firms who are recognised leaders in their profession.

Our services

Claims

We provide expertise, across our clients jurisdictions, in defending the interests of insurers and professional firms in a range of areas, with particular focus on Professional Liability.

We have a proven track record for handling professional liability claims across the range of professions and also in the corporate, commercial and financial sectors.

In many cases, the claims we handle are sensitive and confidential. We are accustomed to working with discretion. Clients trust us with their reputations.

Our specialists handle claims against:

- accountants
- actuaries
- brokers
- construction professionals (architects, engineers, project managers, quantity surveyors)
- financial advisors
- IT consultants
- solicitors/barristers
- surveyors and valuers

Insurance coverage

Advice on coverage, whether in relation to reinsurance, commercial liability, professional liability, D&O or other types of insurance policies, forms an important part of our practice.

Risk management

On the basis that “prevention is better than cure”, we advise on a wide range of risk management issues including regulatory obligations, conditions of business and document management and retention policies.

Disciplinary proceedings

In addition to damages claims, professionals can face censure from their regulator. We have a developed expertise in regulatory and disciplinary proceedings and represent clients from a variety of professions.

Expertise in practice

For reasons of client confidentiality, we are unable to disclose the names of the majority of our clients.

Claims – professional liability

Accountants

- acting for a top 10 accounting firm on a £250m claim brought against them in their capacity as administrative receivers acting on behalf of a well-known firm and its professional indemnity insurers in relation to a very significant claim arising out of the alleged mis-management of a pension scheme by its original trustees
- representing a leading accountancy firm and its professional indemnity insurer in the defence of a claim arising out of allegedly negligent off shore tax planning advice

Actuaries

- defending a leading actuarial firm for six years against a £multi-million claim by the liquidators of Independent Insurance
- advising a leading actuarial firm on their compliance with the new Conflicts Professional Standard

Brokers

- acting for a leading firm of brokers in defence of a third party negligence claim brought to the Commercial Court by an insurance group
- advising a representative of a large broker's firm against criminal allegations of betrayal of business secrets
- advising a UK broker in relation to a claim in the French Commercial Court relating to the placement of cover for a French

construction project with an insurer based in the West Indies

Construction professionals

- advising a firm of Project Managers and their Insurers in relation to a high profile claim in excess of £14 million arising out of construction of a groundbreaking new arts complex in Colchester
- advising a firm of engineers on one of the biggest construction disputes in Northern Ireland which arose as a result of a major landslip that occurred in 2007

FI / D&O and crime

- Our Crime, Fraud and Investigations practice, in conjunction with our Regulatory and Corporate practices, offer full service in D&O disputes
- acting for insurers in respect of the claims brought by the Financial Services Compensation scheme arising out of the collapse of Keydata

IT consultants

- coordinating and advising on class actions across several jurisdictions against a software company in connection with spyware usage

Solicitors / barristers

- acting for a well known firm on a claim that has arisen following proceedings before the Pensions Regulator and the appointment of an independent trustee concerning fiduciary and

statutory breaches by pension trustees with alleged losses in excess of £30 million

- representing a London firm in a £multi-million claim arising out of a sequence of transfers of a very well known building in Central London to various off shore entities

Surveyors and valuers

- advising a major UK based valuer on a claim for €60m in relation to the valuation of a German retail centre
- advising a multi-national firm of valuers on claims arising out of the allegedly negligent valuation of a national portfolio of leisure facilities

Coverage disputes

- advising underwriters on a dispute with insurers for an earlier year, arising out of the scope of a notification under a professional indemnity policy
- advising reinsurers on coverage issues arising from Lehman mini-bonds in Asia

Risk Management

- advising a construction professional on issues arising out of the sudden collapse of a project to construct a block of high value flats in central London
- advising various firms of actuaries on their implementation of the new Technical Actuarial Standard on Reporting

“Simmons & Simmons treats the relationship with us as one that works both ways. We act together to achieve our objectives.” Insurance client

Chambers UK 2012

Key contacts

Key contact biographies can be viewed at simmons-simmons.com

International contacts

France

Alexandre Regniault
T +33 1 53 29 16 46
E alexandre.regniault@simmons-simmons.com

Germany

Sascha Kuhn
T +49 2 11 4 70 53-79
E sascha.kuhn@simmons-simmons.com

Hong Kong

Robert Lewington
T +852 2583 8377
E robert.lewington@simmons-simmons.com

Italy

Cristina Pagni
T +390272505 402
E cristina.pagni@simmons-simmons.com

Francesco Maruffi

T +39 02 72505 532
E francesco.maruffi@simmons-simmons.com

Spain

Fernando Aizpún
T +34 91 426 2640
E fernando.aizpun@simmons-simmons.com

The Netherlands

Johan Polet
T +31 20 722 2346
E johan.polet@simmons-simmons.com

UK

James Pollock
T +44 20 7825 3936
E james.pollock@simmons-simmons.com

Professions – London

Accountants & Actuaries

Ian Hammond
T +44 20 7825 4434
E ian.hammond@simmons-simmons.com

Caroline Hunter-Yeats

T +44 20 7825 4571
E caroline.hunter-yeats@simmons-simmons.com

Emma Kendrick-Jones

T +44 20 7825 4535
E emma.kendrick-jones@simmons-simmons.com

Colin Passmore

T +44 20 7825 4196
E colin.passmore@simmons-simmons.com

Barristers

Philip Vaughan
T +44 20 7825 4204
E philip.vaughan@simmons-simmons.com

James Pollock

T +44 20 7825 3936
E james.pollock@simmons-simmons.com

Brokers

James Pollock
T +44 20 7825 3936
E james.pollock@simmons-simmons.com

Simon Hilditch

T +44 207 825 4463
E simon.hilditch@simmons-simmons.com

Construction professionals

James Pollock
T +44 20 7825 3936
E james.pollock@simmons-simmons.com

Solicitors

James Pollock
T +44 20 7825 3936
E james.pollock@simmons-simmons.com

Emma Kendrick-Jones

T +44 20 7825 4535
E emma.kendrick-jones@simmons-simmons.com

Simon Hilditch

T +44 207 825 4463
E simon.hilditch@simmons-simmons.com

Financial institutions

Caroline Hunter-Yeats
T +44 20 7825 4571
E caroline.hunter-yeats@simmons-simmons.com

I.T.consultants

James Pollock
T +44 20 7825 3936
E james.pollock@simmons-simmons.com

Surveyors and valuers

Emma Kendrick-Jones
T +44 20 7825 4535
E emma.kendrick-jones@simmons-simmons.com

James Pollock

T +44 20 7825 3936
E james.pollock@simmons-simmons.com

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