



PROFESSIONAL NEGLIGENCE



“A go-to set for many instructing solicitors faced with complicated construction claims.”

Chambers UK Bar 2017 – Band 1

“Outstanding for construction-related professional negligence.”

Legal 500 2015

PROFESSIONAL NEGLIGENCE

Keating Chambers has an outstanding reputation for professional negligence work. Our members have unparalleled experience and expertise in a range of technology and construction-related professional negligence cases, acting both for and against professionals in domestic and international disputes.

The depth and breadth of our expertise in this field is recognised in the directories, where we are acknowledged as a leading set in the field and a number of our silks and juniors receive individual recognition.

We specialise in bringing and defending claims against professionals across the whole spectrum of construction and property related professional liability work, involving:

- accountants,
- architects,
- contractors,
- engineers,
- government departments,
- indemnity insurers,
- IT consultants,
- project managers,
- property developers,
- solicitors,
- surveyors, and
- valuers.

Members also advise and represent parties in construction related insurance coverage disputes arising out of:

- liability,
- material damage,
- consequential loss,
- projects,
- CAR, and
- professional indemnity policies.

As the first port of call for professional negligence cases within the construction industry, ten members of Keating Chambers were individually instructed to appear in *Accolade Wines v GJ3* and others (named by *The Lawyer* as one of the top cases of the year). This 5-party dispute concerned the defective design and construction of a floor system, raising numerous allegations of professional negligence in the fields of structural engineering and geotechnical investigations. The case involved complex legal issues in relation to causation, rectification and the

construction of warranties, as well as complex technical issues.

Our barristers are highly regarded for their advocacy skills and appear in very high-value, complex multi-party claims, mainly in the TCC. Many of these cases have an international element and members also have professional negligence experience in arbitration, adjudication and mediation.

Members of Keating Chambers are committed to providing training and development to clients and can offer complimentary in-house training seminars on a broad range of professional negligence topics.

Please contact our clerks for more information: clerks@keatingchambers.com

- Instructed by both sides in a £40m claim related to allegations of defective design on a large commercial car park in southern England, set to be one of the largest cases of 2018.
- Acting for the defendant insurer in a claim for recovery of loss under a property damage all risk insurance policy.
- Acting in a high profile professional negligence claim arising out of the design of a new build international headquarters, involving highly complex issues of law on net contribution, limitation of liability and causation in insurance law.
- Appearing in £20m proceedings relating to the defective selection and design of a glazing system for a substantial commercial property in London.
- Professional negligence litigation and mediation arising out of the design and construction of Wembley Stadium.
- Acting for solicitors defending a claim related to alleged failure to procure insolvency protection insurance as part of the completion of a development agreement and conveyance.
- Instructed by a major international architectural practice in an arbitration relating to alleged professional negligence in the provision of a grandstand at a world famous racecourse.
- Ten members instructed individually in a 5-party dispute concerning the defective design and construction of a floor system in a wine warehouse in Europe.
- Acting for the insurer in a £50m accountants negligence dispute.
- Advising in relation to an architect's negligence claim relating to the negligent design of damp-proofing and negligent inspection of the plumbing and electrical works at a substantial London riverside property.
- Housing development dispute involving failure of a load transfer platform on the development of 80 flats, including claims for breach of collateral warranty.
- Acting for a contractor against the alleged negligent design of a mechanical biological treatment facility.
- Counsel for the employer in a technical dispute involving a negligence claim against engineers and conflicts of law arising out of the construction of an oil platform.
- Representing an engineer/architect defendant in a negligence claim arising out of contract administration and design services connected with a major leisure centre development.



ABOUT KEATING CHAMBERS

Keating Chambers is a leading set of commercial barristers' chambers, with a thriving domestic and international practice. Members specialise in providing their services across the areas of construction (onshore and offshore), engineering, energy, infrastructure, procurement, professional negligence, shipbuilding & marine engineering and technology (including IT and Telecoms).

Members provide advisory services on all the internationally recognised forms of contract including FIDIC, NEC,

IChemE, JCT, LOGIC, SAJ and AWES, and also have extensive experience with PPP, PFI, and partnering and alliancing contracts. Members regularly appear in the various divisions of the High Court – but especially in the Technology & Construction Court and the Commercial Court – and also the Court of Appeal, the Privy Council and Supreme Court. Their expertise in alternative dispute resolution covers domestic and international arbitration, adjudication (statutory and contractual), mediation, dispute review boards and expert determination.

Senior members are frequently appointed as arbitrators by many of the world's leading appointing bodies, such as the ICC, LCIA, DIAC, HKIAC, KLRAC and SIAC. They are also appointed directly by parties to arbitrations under ICSID and UNCITRAL rules.

Members act as experts on English law in overseas jurisdictions, and some members have rights of audience in jurisdictions such as Dubai, Hong Kong SAR, New Zealand, Northern Ireland and the Republic of Ireland.

Silks

Marcus Taverner QC
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Dr Christopher Thomas QC
John Marrin QC
Stephen Furst QC
Timothy Elliott QC
Dr Robert Gaitskell QC
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International Members

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