

London
Conference
“The Ultimate
Round Up”



Thursday 3rd October / 9am – 5pm

@ Outer Temple Chambers, 222 Strand, Temple, London WC2R 1BA

Followed by drinks

Chair

Jayna Patel – Partner, Dutton Gregory LLP
& PNLA South of England Representative

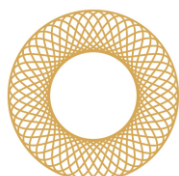
Speakers

The Honourable Mrs Justice Joanna Smith KC
William Flenley KC – Hailsham Chambers
David E. Grant KC – Outer Temple Chambers
Andrew Spink KC – Outer Temple Chambers
Kathryn Jenkins – The Tumaini Trust
Matthew Pascall – Temple Legal Protection
Rachel Auld & Thomas Pangbourne – Indemnity Law
David Osborne – Fraser Dawbarns
Elaine Palser – Outer Temple Chambers
Sue O’Brien & Sara Benbow – Property Mediators



5 hours
CPD

temple
legal protection



Outer Temple

INDEMNITY.



the
Property
Mediators

Conference Agenda

0900-0930 Registration and refreshments

0930-0935 "Chair's Introduction"

- Jayna Patel – Partner, Dutton Gregory LLP & PNLA South of England Representative

Jayna regularly advises businesses and individuals on professional negligence claims and has a proven track record of securing successful outcomes.

Her client testimonials speak for themselves, and she has built up a reputation within the Southeast and her wider network as the go to professional negligence claimant lawyer.

Jayna has successfully concluded various professional negligence claims arising out of valuations, surveys, architectural, legal and accounting advice.

<https://www.duttongregory.co.uk/site/people/profile/jayna.patel>

0935-1000 "Keynote Address"

- The Honourable Mrs Justice Joanna Smith KC

Dame Joanna Angela Smith, DBE, styled Mrs Justice Joanna Smith, is a High Court judge in England and Wales .

She attended Christ Church, Oxford, matriculating in 1986, and graduated with a first-class MA in jurisprudence.

She was called to the bar at Lincoln's Inn in 1990, practising commercial, professional negligence and construction law from Cornerstone Chambers and Wilberforce Chambers. Smith took silk in 2009 and was appointed a deputy High Court judge in 2017. As a practitioner, she appeared in the 2015 Cavendish Square Holding BV v Talal El Makdessi case before the Supreme Court of the United Kingdom. Prior to her full-time judicial appointment, she took appointments as an arbitrator.

On 15 February 2021, Smith was appointed a judge of the High Court and assigned to the Chancery Division.

<https://www.wilberforce.co.uk/news/joanna-smith-qc-appointed-high-court-judge-2/>

1000-1035 (inc 5 mins Q&A) "Discovery Land v Axis"

- William Flenley KC – Hailsham Chambers

William Flenley KC specialises in all aspects of professional liability, and related insurance issues. His recent cases in the law reports include appearing in the Court of Appeal and the Commercial Court in the leading case on the meaning of 'to condone' in the solicitors' Minimum Terms for insurance (Axis v Discovery Land [2024] PNLR 16), in the principal authority on the mental element of dishonest assistance in breach of trust (Group Seven v Nasir, [2020] Ch 129), and in a wasted costs application in complex multi-party proceedings in the Commercial Court (King v Stiefel, reported at [2023] PNLR 18).

William is also instructed as an arbitrator, mediator and adjudicator, and worked on the design of the Professional Negligence Bar Association's adjudication scheme.

He is the co-author, with Mr Justice Leech, of the leading text on claims against solicitors, The Law of Solicitors' Liabilities, first published in 1999 and now in its fourth edition. He is a former Chair of the Professional Negligence Bar Association, has contributed to Professional Negligence and Liability and Cordery on Legal Services, and was deputy editor of Lloyd's Reports: Professional Negligence. He is a Bencher of the Middle Temple, and Vice-Chair of its Estates Committee. He has been recommended for professional negligence in Chambers' Directory for 24 years, and is a popular speaker on professional liability topics.

William is a former board member of homelessness charities Bondway and Thames Reach Housing Associations.

<https://www.hailshamchambers.com/our-people/profile/william-flenley-kc>

1035-1110 (inc 5 mins Q&A) "Topic tbc"

- David E. Grant KC – Outer Temple Chambers

David E. Grant KC TEP is a chancery and commercial practitioner with specialist expertise in pensions, trusts, will and estates, professional negligence, fraud and asset recovery, financial services, insolvency and employment.

He has extensive advocacy experience in courts and tribunals up to the European Court of Justice. He has been instructed as an English law expert in proceedings in the US and Canada. He has also attended numerous mediations and round table meetings in a wide variety of cases. David is happy as sole advocate or leading a counsel team and enjoys the process of working with his instructing solicitors, lay clients, experts and other interested parties.

His clients have included many leading international businesses including the Atos Group, British Airways, BT, ITV, the Royal Bank of Scotland, Lloyds Bank, Aegon and Transport for London. He has also acted for the Pensions Protection Fund, the Pensions Regulator and the Pensions Ombudsman as well as leading professional advisers including Aon, Mercer and Barnett Waddingham as well as various high net worth individuals.

David has been recommended in a total of 4 areas in Chambers and Partners and the Legal 500 since 2007 and is currently described as "a go to practitioner in this area" and "analytical and creative at finding solutions to difficult problems", "he will do his utmost to find the answer to support the client's position".

<https://www.outertemple.com/barrister/david-e-grant-kc/>

Conference Agenda

1110-1125 Refreshments

1125-1200 (inc 5 mins Q&A)

“Topic TBC ”

- Andrew Spink KC - Outer Temple Chambers

Andrew Spink KC has an extensive business law practice specialising in commercial law, pensions and other commercial trusts, banking and financial services, fintech, professional negligence claims, company law and insolvency issues. He is in particular demand for matters with cross-jurisdictional issues.

He is a recent Chair of the COMBAR, a past Head of Chambers, and is a part-time judge who has sat as a Deputy High Court Judge in the King’s Bench and Chancery Divisions of the English High Court. He is also a Justice of the Astana International Financial Centre Court in Kazakhstan. He also sits as an arbitrator.

Internationally, Andrew is a registered DIFC Court advocate and provides advice to the DIFC governing body on law reform (company law, trusts, digital assets and smart contracts, banking and finance) and other strategic projects. Andrew has led various team members from Outer Temple Chambers on providing the DIFC Authority with advice and continues to provide strategic legal advice to the DIFC Authority on a number of current issues.

He is ranked in Band 1 for Pensions in Chambers & Partners, who describe him as “an extremely well-respected silk, winning glowing praise from market sources for his exceptional advocacy skills and client-focused approach”. Legal 500 rank him Tier 1, saying he is “definitely someone you want on your side”. Andrew is also listed in Tier 1 by Legal 500 for Crypto and as a leading silk in Legal 500 for Commercial Litigation, Professional Negligence and in the EMEA rankings for Commercial Law.

Andrew was nominated in 2023 and (is again in 2024) as Legal 500’s Technology, Data & Crypto Silk of the Year (in which OTC also won “2023 Set of the Year”).

<https://www.outertemple.com/barrister/andrew-spink-kc/>

1200-1210 (inc 5 mins Q&A)

“The Tumaini Trust”

- Kathryn Jenkins - Sustainability consultant and non-practising solicitor
- LLB (Hons) BSc (Hons) MSc IEMA Certificate in Environmental Management

The Tumaini Trust (registered charity number 1113901) was founded by Kath Jenkins in 2005 to raise funds to enable her former primary school students in Tanzania to continue their education.

Working in partnership with some of Kath’s former pupils and local villagers in Kilimanjaro, The Tumaini Trust now focuses on planting trees as well as making and distributing reusable sanitary kits to local women and girls.

@tumaini_trust

<http://tumainitrust.org.uk/>

1210-1230 (inc 5 mins Q&A)

“Litigation Funding & ATE Insurance update”

- Matthew Pascall – Temple Legal Protection

Matthew was called to the Bar in 1984 and joined Guildford Chambers two years later. Spending more than 30 years in practice there, he was listed as a Legal 500 Tier One barrister.

He joined the commercial team at Temple Legal Protection as Senior Underwriting Manager in 2017.

Matthew was appointed to Temple’s Board in December 2022 as Legal Director and Head of Commercial.

His knowledge of the commercial legal sector and litigation practice is invaluable to the business and our clients, providing specialist experience to lead the commercial litigation insurance team.

<https://www.temple-legal.co.uk/about-us/our-people/>

1230-1400 Lunch – Middle Temple Hall (TBC)

1400-1425 (inc 5 mins Q&A)

"Topic TBC"

- *Rachel Auld & Thomas Pangbourne – Indemnity Law*

Tom Pangbourne - Partner and Solicitor Advocate - is a leading specialist in resolving tricky and valuable coverage disputes. Tom has particular expertise in financial lines insurance, including Warranty & Indemnity, Directors & Officers and professional indemnity coverage issues.

Tom joined Indemnity in January 2024 having spent two decades advising insurers on policy coverage disputes, including representing insurers as an advocate in arbitration. He now brings that expertise to bear for his policyholder clients, seeking to ensure that problems with valid claims are resolved quickly.

Tom's experience has also included defending numerous large claims against professionals, including several well-known firms of City and West End solicitors. As an experienced Solicitor Advocate, he is also experienced at leading and managing solicitor and counsel teams through trial. This experience means that Tom's approach is to think about the end-game at the outset – and such an approach means that, at the outset of a matter, his clients benefit from clear advice on the merits and the evidence.

<https://indemnity.law/person/tom-pangbourne/>

Rachel Auld - Senior Associate - An ex-advisor to insurers, Rachel has particular expertise in resolving financial lines and commercial property coverage disputes.

Rachel joined Indemnity as an Associate in 2021. Prior to joining the team, she advised leading insurers on a broad range of coverage issues and worked with loss adjusters, insolvency practitioners, brokers, and policyholders to resolve claims both in and out of court.

Rachel now advises policyholders on the most effective ways to resolve complex coverage disputes.

<https://indemnity.law/person/rachel-auld/>

1425-1450 (inc 5 mins Q&A)

"Solicitors Compliance Update"

- *David Osborne – Senior Associate/Client Relations Manager – Fraser Dawbarns*

David Osborne is a Solicitor and Senior Associate in the Dispute Resolution department, based in the King's Lynn office. David is also the firm's Client Relations Manager. David specialises in all forms of dispute resolution with a particular focus on professional negligence, where he is a member of the PNLA (Professional Negligence Lawyers Association).

David also focusses on matters involving insurance, inquests, and Solicitors' regulatory and compliance issues.

David's typical clients are those who need guidance and advice on professional negligence issues, representing both businesses and individuals as claimants and professionals such as solicitors, accountants, architects, and developers as defendants. David particularly enjoys the problem-solving aspect of his work and enjoys it when his work presents a challenge. Clients can expect clear and objective advice, delivered honestly, whether the news is good or bad.

David studied Modern & Medieval Languages (German and Latin) and Law at Magdalene College, Cambridge where he was involved in the Union Debating Society and coxed the college's 1st crew. David then completed his Law Society Finals at Birmingham Polytechnic, qualifying as a Solicitor in 1990.

Before joining Fraser Dawbarns in 2003, David worked in the city and at local law firms. His early legal career was spent in London firms where he was focused on maritime and shipping law which often involved complex cross jurisdictional issues. During this time, David was involved in the Zebbrugge Ferry Disaster Formal Inquiry and the MV Derbyshire Formal Inquiry.

<https://www.fraserdawbarns.com/people/david-osborne/>

1450-1515 (inc 5 mins Q&A) *“Artificial Intelligence and Professional Negligence”*

- Elaine Palser - Outer Temple Chambers

Elaine Palser has a broad Chancery practice, with an emphasis on professional negligence, contentious probate and trusts, insolvency, and commercial disputes.

Recommended as a leading barrister in Professional Negligence, Insolvency, and Private Client (Probate and Trusts), Elaine has been described as “an excellent advocate”, “technically superb”, “very good with clients” and “a real team player”, with “a sharp mind” and “fantastic analytical skills” who “is impressive at pulling extremely complicated issues together in a way that impresses a judge” (Legal 500).

Elaine is also a CEDR-accredited mediator, and a former lecturer in Tort, Land and Trusts at Oxford University.

<https://www.outertemple.com/barrister/elaine-palser/>

1515-1530 *Refreshments*

1530-1630 *“Team Case Study Discussion session”*

- Sue O'Brien & Sara Benbow – Property Mediators – Oxfordshire

Sue O'Brien spent her early career in the City and in Paris (with Holman, Fenwick and Willan, and Slaughter and May) and subsequently became Head of Dispute Resolution at a major regional firm.

Her practice as a solicitor focused on property, professional liability, commercial and probate disputes.

Sue was accredited as a mediator by ADR in 2008 and has been mediating full time since 2016. Sue is a Fellow of the Civil Mediation Council and a member of the PLA and PNLA.

<https://thepropertymediators.co.uk/our-property-mediators/sue-obrien/>

Sara Benbow was a practising barrister for nearly 30 years and is a senior member of Gatehouse's Property Team. As well as her property mediation and advocacy work, Sara is regularly called upon to write articles, to provide seminars and webinars, and to speak at conferences on various areas of property law. She is also a contributing author to Cousins: Law of Mortgages.

At the heart of Sara's practice has been property litigation, and she brings that knowledge and experience into her work as a specialist property mediator. She has considerable expertise in disputes over real property such as boundaries, easements and adverse possession, co-ownership, mortgages, trusts of land and the impact of insolvency on property rights, as well as conveyancing disputes including issues as to specific performance, rescission or registration, rectification and, especially in the property-development context, cases about planning, covenants, regulated user, options or overage provisions.

Sara is also an experienced and knowledgeable commercial and residential landlord and tenant lawyer, covering both contentious and non-contentious work and understanding the perspectives of landlords, tenants and others such as beneficiaries, guarantors or insolvency practitioners who hold interests related to commercial or residential leasehold land.

<https://thepropertymediators.co.uk/our-property-mediators/sara-benbow/>

1630-1635 *“Chair's Closing Remarks, Questions and Discussion”*

1635-1640 *“PNLA News Update & Future Events”*

- Katy Manley – PNLA President

1700-1900 *Sponsored Drinks - Outer Temple Chambers & Hailsham Chambers*

*@ The Old Bank of England, 194 Fleet St, London EC4A 2LT
- invitation to PNLA Network - all Welcome*

Terms and conditions in relation to courses, seminars and conferences ('events') provided by The Professional Negligence Lawyers' Association (PNLA) and organised by PNLA Training Ltd. (PNLA Training)

1. The full fee invoice for the conference ticket is payable.
2. For conferences taking place at a venue on a fixed date, if cancellation is received in writing at least 21 working days before the event the fee will be credited less a £75 administration charge. Substitutions are welcome at any time subject to any variation in price that might be payable if the substitute is not entitled to a discount as a PNLA member or specialist.
3. For virtual conferences the ticket(s) purchased are for the individual delegate(s) named in the booking. If a delegate gives access to the recorded speaker programme to others, then they agree to pay for a ticket at the full fee for all those delegates who watch the programme deriving from such access.
4. The booking constitutes a legally binding contract. The delegate and their employer/partnership/other practice entity are jointly and severally liable for payment of all the fees due.
5. The PNLA and PNLA Training reserve the right without prior notice to vary or cancel an event where the occasion necessitates including changing the password for virtual conference programmes.
6. The PNLA and PNLA Training accept no liability if, for whatever reason, the event does not take place or access online is not possible.
7. Large print versions of the handouts can be made available by prior request. If sufficient notice is not received, it will be provided as soon as possible after the event.
8. 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. Any additional cost will be invoiced to the delegate.
9. To the extent permitted by law, it is agreed that the PNLA, PNLA Training Limited presenters and speakers will not 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 event, or, except to the extent that any such loss does not exceed the price of the event, arising from or connected with any error or omission in the material or presentation of the event. 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.
10. The personal information provided by you will be held on a database and you may be contacted from time to time by The PNLA and PNLA Training with details of events and services that may be of interest to you. 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

**10% of all ticket sales
will be donated to the
"The Tumaini Trust"**



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Please contact by email yvonne.fairbrother@pnla.org.uk to arrange payment and reserve your place.

or via our website:

<https://www.pnla.org.uk/event/the-ultimate-round-up-professional-negligence-liability-3-october-2024-london-conference-hosted-by-jayna-patel-and-outer-temple-chambers/>