

## Tim Chelmick

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*Incredibly bright and very much to the point. He marries legal know-how with technical excellence.*

- Chambers & Partners

**Tim Chelmick specialises in commercial disputes with a particular emphasis on international arbitration, construction, professional liability and costs.**

With a strong scientific background, Tim is regularly involved in cases with a scientific or technical element involving complex expert evidence.

Many of his disputes relate to projects in the Middle East as Tim spent 2 years living and working in Dubai. He is one of only two leading juniors recommended for both commercial and construction disputes in Legal 500's UAE guide. Legal Directories characterise his work as including "*shareholder, insurance, and asset-tracing matters*" for commercial and "*heavy infrastructure disputes*" for construction.

Tim is also recommended in the UK legal directories for construction, costs and professional liability. He has been described by clients as "*An incredibly commercial barrister, who is able to cut through all extraneous information and drill down to the facts of the case*" who has "*an uncanny ability to adapt quickly to all kinds of instructions*"; "*an extremely bright mind*" and "*excellent advocacy skills*" with "*the potential to rise to the top of the profession*".

Prior to joining chambers, Tim read chemistry at Magdalen College, Oxford obtaining a first class degree. After leaving Oxford, Tim worked for 2 years as a software developer in the technology department of Goldman Sachs in the London, New York and Hong Kong offices.

### Privacy Policy

Click here for a [Privacy Policy](#) for Timothy Chelmick.

## Areas of Expertise

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### Costs

**"Has a wonderfully practical approach that boils down costs matters and complex litigation to the essentials."** – *Legal 500, 2022*

**"Delivers excellent and practical advice that is well tailored to the situation and client needs. His analysis is incisive and his drafting excellent."** – *Legal 500, 2021*



“A fantastic junior with a bright future ahead of him.” – *Legal 500, 2020*

Tim is recommended in the Legal 500 for costs disputes. He has extensive experience of costs litigation at all levels up to and including the Court of Appeal.

### **Inter-parties costs**

Tim is regularly instructed in complex detailed assessment proceedings and other hearings where the primary issue is the recoverability of legal costs. He often deals with claims that involve challenges to the solicitor's retainer, allegations of misconduct (such as alleged failures to mediate) and also claims which deal with insurance issues, particularly involving after the event insurance.

He also is regularly instructed to deal with costs budgeting issues (even when not involved in the underlying litigation) and has been involved in a number of significant cases before the High Court involving substantial cost budgets. He also often deals with wider procedural issues relating to costs, including issues relating to Part 36.

### **RTA Portal cases**

Tim also has specific experience in issues relating to RTA Portal cases. He has been involved in both of the two significant cases where the costs consequences of the Pre-Action Protocol for Low Value Personal Injury Claims in Road Traffic Accidents and associated Part 8B Proceedings have been considered (*Mulholand* in the Newcastle County Court and *Phillips* in the Court of Appeal). He has advised and appeared in numerous other claims relating to the RTA Portal involving a wide variety of issues such as the circumstances in which cases can leave the Portal, the effect of statements made in Stage 2 and the costs consequences when cases wrongly exit the Portal.

### **Solicitor own client costs**

Tim also has significant experience of claims where the costs are challenged by the client including assessment of solicitor and client costs under the Solicitors Act 1974.

He has additionally dealt with a number of cases raising costs related issues in the context of wider issues of negligence by the solicitor.

Tim also has experience of disputes between the SRA and solicitors regarding the interpretation of the Solicitors Accounts Rules

### **Other areas**

Tim also has experience of applications for costs orders being sought against directors of companies involved in litigation. He also has particular experience in applications for security for costs in commercial litigation. He also has advised on the recoverability of costs in arbitral proceedings.

### **Cases**

- **RTA Portal Test cases**  
Acting for claimants in a number of appeals relating to the correct operation of the Pre-Action Protocol for Low Value Personal Injury Claims in Road Traffic Accidents (including *Mulholand* in the Newcastle County Court and *Phillips* in the Court of Appeal, both with Nick Bacon QC).
- **Cape Distribution Ltd v Cape Intermediate Holdings Plc**  
Acting for the Claimants in the costs budgeting aspects of multi-party litigation involving mesothelioma claims.
- **Disclosure of CFA**  
Acting for a Defendant in an application for relief from sanction where there had been non-disclosure of a CFA.



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- **Solicitor own client proceedings**

Acting in Part 8 Proceedings where beneficiaries under a will seek detailed assessment of the fees of the former professional trustee.

- **Part 36**

Acting for the successful appellant in an appeal relating to the grant of permission to accept a Part 36 offer after the conclusion of a preliminary issue. Permission was granted by the Court of Appeal for a second appeal but the case settled before the appeal was heard.

- **Failure to mediate**

Acting in an appeal in a case involving an allegation that there had been an unreasonable failure to mediate and that there should hence no order as to costs.

- **Bilkus v Stockler Brunton (a firm)**

Acting as sole advocate at all levels in proceedings that ended in the Court of Appeal where the client successfully challenged the recoverability of an uplift on fees charged by a solicitor at the conclusion of a retainer.

## Qualifications & Memberships

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MChem (Oxon) Dip. Law (City)

TECBAR – accredited adjudicator

Society for Construction Law

COMBAR

PNBA

## Insights

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### **Zuberi v Lexlaw Limited: Damages Based Agreements in England and Wales – a new dawn?**

19 January 2021

George McDonald and Tim Chelmick discuss the radical Court of Appeal decision in Zuberi v Lexlaw Limited which has made damages-based agreements in England and Wales far more attractive to solicitors and heralds a new era for contingency arrangements.

### **The Construction of Contracts**

8 May 2018

Lecture by Sir Rupert Jackson and Tim Chelmick at the 4 New Square Construction Law Conference on 1st May 2018

### **Jackson & Powell on Professional Liability**

30 January 2017

Editor of the 7th and 8th Editions

### **Global Arbitration Review's Guide to Construction Arbitration**

1 September 2017

Contributor