

## OUR PEOPLE

## Amanda Savage KC

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## CHAMBERS &amp; PARTNERS

"A brilliant lawyer, hard working and approachable, and a wonderful team member."

✉ [a.savage@4newsquare.com](mailto:a.savage@4newsquare.com)

☎ +442078222134

Amanda Savage KC practises in professional liability, disciplinary, insurance and general commercial litigation.

She was shortlisted for the 'Professional Negligence Junior of the Year' (2019) award by Chambers & Partners UK.

Amanda prides herself on providing an excellent level of service to her clients and those that instruct her and her attention to detail, together with a "no nonsense" approach to litigation.

Amanda has particular experience of claims against lawyers (including applications for wasted costs), being regularly instructed by leading solicitors' insurers and BMIF. Amanda has been involved in several high profile lawyers' claims, including the 'Hotel litigation' 'Right to Buy' litigation, *GWM v Templeton*, *Williams v Thompson Leatherdale*, *Daniels v Thompson and Brown v Bennett* and was junior counsel in the longest ever hearing before the Solicitors Disciplinary Tribunal (*SRA v Dennison* and others). Amanda is often instructed on regulatory cases and has particular experience in representing barristers before the Bar Disciplinary Tribunal.

Since taking Silk, Amanda has been rated in Chambers & Partners and Legal 500 for professional negligence and insurance and reinsurance and described as: "Very much a go-to barrister; her regulatory experience and background feed into her formidable ability." "Amanda is always spot on, extremely engaged, and clear and consistent in her views"; "fantastically clever and brilliant in court"; and "Relates very well to clients in stressful and difficult situations, and is a very strong, compelling advocate".

She was previously ranked as a junior in the field of professional negligence and insurance described as "brilliant to deal with – exceptionally bright, very commercial and will speak to clients on their level", "her attention to detail is second to none and she has a no-nonsense attitude.", "she's not afraid to really test her clients and provides sensible, reasoned and practical advice", "very good on detail and a fearless advocate on her feet", "fantastic on paper and strong in mediation", "proof that the stream of talent [at 4 New Square] never stops flowing...", "an extremely thorough junior who presents her work in apple-pie order", "smart and reliable", "extremely popular and deservedly so" and someone who "doesn't sit on the fence and is hard-hitting and practical" and has had "a very good legal brain, an eye for detail and is easy to work with"

Amanda is an editor of Jackson and Powell on Professional Liability (Sweet and Maxwell, 9th edition, 2022, sits on the Executive Committee of the Professional Negligence Bar Association and is a member of the London Common Law & Commercial Bar Association, The British Insurance Law Association and the Chancery Bar Association.

## Privacy Policy

Click here for a [Privacy Policy](#) for Amanda Savage KC.

## Expertise

## Professional Liability

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*“Amanda is fantastically clever and brilliant in court.”* – Legal 500, 2022

*“Very much a go-to barrister; her regulatory experience and background feeds into her formidable ability.” “Amanda is always spot on, extremely engaged, and clear and consistent in her views.”* – Chambers & Partners, 2022

*“She is a spectacular advocate who has held her own against established silks for years.”* – Legal 500, 2021

*“Her pleadings are always well crafted and thorough.” “She’s extremely pleasant to deal with, very hard-working, and I was impressed when I worked against her.”* – Chambers & Partners, 2021

*“Bright, engaging and smart.”* – Legal 500, 2020

*“A formidable advocate” who is “very hard-working, very pleasant and very focused.” “Her strategic overview is really valuable and insightful. When there is a mass of documents, she is the person who will cut through it and say, ‘this is the path we should take.’”* – Chambers & Partners, 2020

Rated in both Chambers & Partners and Legal 500 as a **leading junior** in this area, Amanda has variously been described as: *“fantastic on paper and strong in mediation”, “extremely popular and deservedly so”, “an extremely thorough junior who presents her work in apple pie order”, “smart and reliable”* and *“doesn’t sit on the fence and is hard-hitting and practical”*.

Professional liability forms a significant part of Amanda’s practice and she has extensive experience of professional liability claims, particularly those involving lawyers, including wasted costs claims and claims against barristers.

She is an editor of Jackson and Powell on Professional Liability (Sweet and Maxwell, 9th edition, 2022).

## Lawyers

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Claims against lawyers forms the largest part of Amanda’s professional liability practice and she has a wealth of experience in this field, including applications for wasted costs against both barristers and solicitors. She is regularly instructed by solicitors, their insurers and BMIF. Amanda has considerable experience of claims against barristers and has acted for Leading and Junior Counsel in a significant number of claims arising from, amongst other things, matrimonial, employment and the coal mining litigation, as well as claims arising from criminal matters. Amanda also specialises in claims against solicitors involving tax and general chancery issues, “lost” or “under settled” litigation (involving a wide range of underlying disputes) and multi party and contribution claims. She is frequently instructed to advise and act on cases involving limitation issues.

### Reported cases

- *Page v Kidd & Spoor Harper* [2021] 11 WLUK 294: acting for the appellant (leading James Marwick) on appeal against strike out for limitation (section 14B) (arising from a vibration white finger claim on a limitation)
- *Eneremadu v Hackney Homes* [2020] EWHC 3869 (QB) strike out application, ECRO
- *Clutterbuck v Brook Martin & Co* [2019] EWHC 1040 (Ch) acting for firm of solicitors in strike out/summary judgment

- for (inter alia) abuse of process (led by David Halpern QC)
- *Galazi v Christoforou* [2019] EWHC 670 (Ch) acting for a firm of solicitors- application concerning amendments, discontinuance and costs
  - *Couper v Irwin Mitchell LLP* acting for leading counsel – extent of civil restraint orders in the professional negligence context
  - *Ackerman v Thornhill* [2017] RWHC 99 (Ch) strike out, allegations of collusion, bribery, impact of fresh evidence and fraud on settlement (led by Graeme McPherson QC)
  - *GWM v Templeton* [2010] EWHC 2679 (Comm): acting for Leading and Junior Counsel in successfully defending a claim brought against them by ATE insurers (led by Michael Pooles QC)
  - *Patel v Air India* [2010] EWCA Civ 443: wasted costs claim against solicitors
  - *Williams v Thompson Leatherdale* [2008] EWHC 2574; [2009] PNLR 15 (QB) – instructed by BMIF and led by Charles Howard QC (1 King’s Bench Walk) in successful defence at trial of leading family silk arising out of settlement of ancillary relief proceedings
  - *Williams v Fairburn* [2006] EWHC 1723 (Ch): barrister, strike out
  - *Daniels v. Thompson* [2004] EWCA Civ 307; [2004] PNLR 33 (CA) – duties owed by solicitors to personal representatives in an inheritance tax context
  - *R (on the application of Yildirim) v Immigration Appeal Tribunal (wasted costs)* [2002] 7 WLUK 21
  - *Brown v Bennett (Nos. 1 and 2)* [2002] 1 WLR 713; [2001] 12 WLUK 450 – wasted costs against leading and junior barristers.

#### Other current and recent cases

- Several wasted costs applications brought (variously) against Silks and juniors in the fields of environmental law, ecclesiastical law, and family law
- Defending a leading family law firm in relation to a claim brought against it alleging under settlement of ancillary proceedings
- Acting for a firm of solicitors arising out of advice in relation to a personal guarantee given by a well known rock musician in connection with a substantial property development and associated finance agreement
- Defending solicitors in a multi-million pound claim brought by insurers against them arising out of the alleged mishandling of hundreds of insurance claims
- Instructed, with Jamie Smith QC and alone, to represent a firm of solicitors in several multi party claims in the ‘Hotel litigation’
- Acting (lead by Ben Hubble QC) in the “Right to Buy” litigation

## Accountants, Auditors & Actuaries

Amanda has acted for and against accountants and auditors in number of cases concerning liability for audit and accounts preparation and, in particular, taxation advice.

#### Featured cases

- Acting (leading Tom Shepherd) for a firm of accountants in claim arising out of the insolvency of former client
- Advising a firm of accountants in the Ingenious litigation
- Advising one of the ‘big four’ auditing firms in respect of failing to uncover fraud and misappropriations of former financial controller of a multi national company
- Acted at trial (as junior to Fiona Sinclair QC) for the former manager of a well known pop singer against a ‘Big 4’ firm relating to tax avoidance advice and the conduct of complex HMRC investigation
- Acting for a discretionary fund manager in a claim alleging bad investment advice, mismanagement of funds and deceit
- acting for an individual against an IFA in a claim for negligent investment advice following the collapse of an Icelandic bank
- Acting for high net worth individuals in a claim against large firm of accountants arising out of tax advice involving capital loss schemes
- acting against a firm of accountants in claims by former clients concerning preparation of and advice in relation to tax returns, including claims brought by non residents and claims involving IHT advice

- Acting for the successful defendant at trial in claim against an accountancy firm arising out of tax advice (as junior to Giles Goodfellow QC)
- Acting as junior to John Powell QC in a very substantial claim brought by a company against its auditors arising out of its failure to detect and/or report on an extensive and multi faceted fraud

## Financial Service Professionals

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Amanda has acted in claims against IFAs and discretionary fund managers.

### Featured cases

- Acting for a discretionary fund manager in a claim alleging bad investment advice, mismanagement of funds and deceit
- acting for an individual against an IFA in a claim for negligent investment advice following the collapse of an Icelandic bank
- Advising one of the defendants to the Ingenious litigation

## Insurance Brokers & Agents

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Amanda acts both for and against insurance brokers in claims involving issues of scope and level of cover, exclusions and non-disclosure and in the context of a wide range of insurance policies. Amanda's experience of 'pure' insurance disputes, together with her extensive experience of professional indemnity claims across the board, renders her particularly well placed to deal with these claims.

### Featured cases

- Acting for the insured in claim against brokers alleging uncertainty in the terms of the insurance exposing the insured to unnecessary arbitration
- Acting for brokers in respect of claim relating to alleged failure to advise as to change in the terms of cover and the application of Average provisions
- Acting for a recycling business in claim against its broker for failure to advise as to the meaning and effect of various warranties and conditions precedent
- Acting for reinsurance broker against former managing director for alleged breach of duty in relation to mid-term broker change
- Acting for broker defending claim for significant damage arising from lack of cover for property damage and business interruption following a major fire at a brewery, involving issues of breach of warranty, material non-disclosure and claims for loss of profit (including issues as to the application of *Sprung v Royal Insurance*)

## Surveyors

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Amanda has acted for claimants and defendants in a significant number of claims in relation to both commercial and residential property, including multi party claims and claims brought by banks and mortgage companies as well as by individuals.

### Featured cases

- Acting for well known firm of valuers instructed by and for bank in claim by directors and guarantors of company to whom loan was made: tested the limits of the scope of duties of care owed by valuers: *Rehman v Santander and BNP Paribas Real Estate Advisory and Property Management UK Limited* [2018] EWHC 748; [2018] 4 WLUK 127.

- Numerous claims by lenders in respect of actual or potential mortgage frauds.
- Acting in defence of claim by a bank specialising in the provision of residential development finance and bridging loans in respect of a claim against a firm of valuers who provided valuations of three developments on a residual and gross development value basis.

## Construction Professionals

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Amanda acts in claims involving a variety of construction professionals. Amanda is known for her attention to detail and enjoys the challenge presented by document heavy and complex litigation, attributes which she considers stand her in good stead in this field. She has particular experience of claims against engineers, architects and designers, ranging from claims against heating plant engineers to claims concerning the design and management of a skate park! Amanda has also been instructed in several cases concerning building/ property management.

## Insurance & Reinsurance

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**“Relates very well to clients in stressful and difficult situations, and is a very strong, compelling advocate.” – Legal 500, 2022**

**“Amanda has excellent attention to detail and is particularly skilled at drafting pleadings, while also being good on her feet in court.” – Legal 500, 2021**

**“She is clever and incisive.” – Legal 500, 2020**

Insurance forms a sizeable and increasingly significant part of Amanda’s practice. This area of her practice dovetails well with Amanda’s experience of claims against insurance professionals and her expertise in the professional liability field. She has advised and acted on insurance disputes involving the construction of policies and coverage issues (both between insurers and between insurers and the insured) both generally and in the professional indemnity context, including cases involving notification issues, what constitutes a ‘claim’ and dishonesty exclusions (particularly involving cases of actual or suspected mortgage fraud).

Amanda has also acted and advised in disputes arising out of combined commercial insurance policies, critical illness and permanent health insurance policies. She was involved (during part time secondments at CMS Cameron McKenna and RPC respectively) in commercial litigation relating to insurance for film finance (contingent expenses insurance) and with the LMX PA Spiral arbitrations.

### Featured Insurance & Reinsurance cases

- Acting for the ARP (leading Will Harman) in multi party dispute concerning potential cover for numerous negligence claims brought in respect of failed enterprise investment scheme and film investments.
- Acting for Insurers in dispute involving the Consumer Insurance (Disclosure and Representation) Act 2012 and what constitutes a “misrepresentation” for those purposes
- Acting for a number of professional footballers in relation to insurance issues arising out of claims against insolvent IFAs who advised on and/or promoted Business Property Relief tax schemes.
- Acting for insurers in relation to a declaration that it is not obliged to indemnify the policy holder in respect of potential liability arising out of an accident at the property in respect of which the insured was carrying out work, and can avoid the business trade insurance policy
- Acting for a major insurance company in a claim brought against them for loss of stock and business interruption following alleged theft of jewellery and gold stock, issue s good fail, non disclosure and construction of warranties
- Advising and conductig indemnity con in respect of repudiation of professional indemnity policy arising out of fraud
- Acting (with Graham Eklund QC) for insured against insurers in dispute involving interpretation of conditions precedent to liability and allegations of breach of condition relating to an intruder alarm – appeared at trial and in the Court of Appeal
- Advising and acting in respect of several arbitrations between insurers as to when a “claim” was made against a solicitor;
- Advising and acting in respect of numerous arbitrations between insurers involving questions of successor practices including in the context of sole practitioners and he effect of ‘holding out’ on the definition of “sole practitioner” and “transition” within the MTC Rules

- Advising in a coverage dispute between insurers and insured, involving considerations of insolvency law and the nature of a potential claim against company administrators
- Defending underwriters in relation to a claim brought by a tour operator involving multiple holiday insurance claims
- Acting for an individual in a dispute arising out of a repatriation and health cover insurance policy
- Advising on policy interpretation in an employers' liability claim
- Acting in permanent health insurance and critical illness policy dispute

Amanda's practice also involves acting for insurers in subrogated recovery actions involving property damage.

## Commercial Litigation

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Amanda undertakes a broad range of general commercial litigation, including disputes regarding the supply and sale of goods, shareholder and partnership disputes, and a variety of commercial contractual disputes, including in the insurance field. She has a particular interest in disputes concerning the construction of contracts.

### Featured Commercial Litigation cases

- Advising and acting in dispute between former shareholders of Group company concerning the distribution of sale proceeds following the sale of the Group Companies and the application of a ratchet mechanism under the Articles of Association, together with the appropriate dividends payable (dispute determined by expert determination).
- Acting for a well known estate agency group in relation to the interpretation of contractual arrangements with a leading property website and the agency's obligations in light of the impact of Covid-19.
- Advising and acting for shipping and trading companies in a claim arising out of the failed enforcement of an Arbitration award following a dispute with the chartered under the COA.
- Acting for a commercial poultry farmer and producer in contractual dispute against grain feed and grain provider.
- Advised and acted for former financial director, accountant and auditor of the company, accused of deceit and conspiracy to defraud.
- Advised and acted for a large supplier of pipes and valves to contractors operating in the oil and gas, power and process industries in litigation involving the construction of contracts and the Commercial Agents (Council Directive) Regulations 1993.
- Junior counsel (led by John Powell QC) for a company in administrative receivership in a multi million pound commercial fraud case brought against a former major supplier and its directors.

## Product Liability

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Amanda's first introduction to product liability claims was whilst a pupil, when she was instructed in the Hepatitis litigation. Since then, Amanda has been instructed in several product liability claims including: for a large national company in a claim brought against it for a contribution to a claim arising out of the manufacture, design and installation of a trailer lift axle system, for a Scottish print company in an action against a well known manufacturer of printing presses. Amanda also acted (with Fiona Sinclair) for Renault Trucks UK in the successful defence of a contribution claim arising out of the design and construction of locking systems used in fire appliances: *London Fire & Emergency Planning Authority v. Meritor Light Vehicle Systems (UK) Ltd* [2003] EWHC 2411. She has acted in claims against several well known car manufacturers and their distributors in claims arising out of the manufacture, sale and supply of defective vehicles and parts.

## Regulatory & Disciplinary

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Amanda has considerable experience of disciplinary work. She has advised and appeared in disciplinary proceedings before the SDT and the ACCA Disciplinary Committee, and has particular expertise and experience of acting for barristers in matters before the Bar Tribunal. Amanda is particularly well placed to act in such cases, being able to bring her previous experience and insight gained through sitting, for a number of years, as a judge on the Bar Tribunal Disciplinary Panel (often on 5 member panels dealing with serious misconduct). During that time Amanda also sat in the High Court, with a High Court Judge, as the Bar member hearing appeals from the Bar Tribunal to the Visitors of the Inns of Court.

## Featured Regulatory & Disciplinary cases

- Advising and representing a barrister charged with failing to observe his or her duty to the court or behaving in a way which was likely to diminish the trust and confidence in the profession, arising out of conduct in matrimonial proceedings
- Acting for a barrister charged with dishonesty and misleading the court in respect of the drafting of an Order
- Acting and representing for a barrister charged with behaving in a way which was likely to diminish the trust and confidence in the profession, arising out of the drafting of an order
- Advising and representing a barrister charged with dishonesty and lack of integrity in relation to communications with the other side to child proceedings
- Advising a barrister charged in connection with disciplinary proceedings arising from sexual offences
- Representing a barrister alleged to have acted in a manner likely to diminish the trust and confidence of the public in relation to non attendance at court.
- Acting for a Representing an insolvency practitioner at 5 day hearing before the ACCA Disciplinary Committee in respect of allegations of misconduct and breach of duty of care arising from several cases in which the respondent had acted as Nominee and Supervisor, Trustee or Liquidator.
- Advising in disciplinary proceedings against a solicitor accused of falsifying time records, misleading his firm and failing to act in the best interests of his client.
- Junior Counsel (to Simon Monty QC) representing the principal respondent at the 9 week hearing dealing with dishonesty and other charges arising out of the TAG litigation (*SRA v Denison and Others*).
- (sitting as Visitor) in *Mehey v BSB, Craven v BSB*. [2014] 1 WLUK 747

Amanda is a member of the Association of Regulatory and Disciplinary Lawyers.

## Property Damage

Amanda has been instructed on a number of claims involving property damage caused by fire, explosions, subsidence and construction and repair work. Many of such claims are subrogated insurance recovery claims and her work in this area dovetails with her insurance practice, as well as her professional liability work.

Amanda is instructed by the claimant in respect of two claims, each worth several million pounds, involving the collapse of concrete underpinning and the failure of concrete foundations and floor slabs respectively.

### Other examples of substantial claims

- £14 million fire damage claim in a building merchant's premises arising from the negligent installation of a flue to a wood-burning stove (insufficient and inadequate supports to the flue to resist torsional twisting) (led by Graham Eklund QC)
- Acting for car dealer and distributors in respect of fire damage and consequential loss caused by electrical defects within cars for sale on the premises
- Acting for a number of claimants in the Buncefield Litigation, including a substantial claim for insured and uninsured losses suffered by a printing business.

## Awards



## Qualifications

B.C.L. (Oxon.) LL.B. (London)

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