

OUR PEOPLE

Tim Chelmick

CALL 2004

CHAMBERS & PARTNERS

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



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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.

Expertise

International Arbitration

“Tim is as smart as any member of the Bar, but what sets him apart is his commerciality. Tim has the ability to deliver clients exactly what they want in an effective and efficient way. Tim is a go to barrister of choice for international clients.” – Legal 500, 2023

“Tim is very bright, responsive and impressive at hearings.” “He is a really reliable pair of hands with both a legal and commercial mind.” – Chambers & Partners, 2023

“He steals a march on other barristers in terms of on-the-ground Middle East experience. A go to barrister for the Middle East region.” – Legal 500, 2022

“He’s very hard-working and diligent. He is also technically strong, especially in relation to construction-related arbitration, and he is strong in getting to the heart of the detail and the quantum.” – Chambers & Partners, 2022

“Commercially minded, excellent drafting that gets straight to the crux of the matter, sensible dealing with pleadings and evidence.” – Legal 500, 2021

My preferred senior junior for international arbitration – he is incredibly good value and hardworking. – Legal 500, 2020

Many of the claims where Tim is instructed are arbitration claims and Tim has extensive has acted in arbitrations (including as sole advocate) conducted under a wide variety of rules including UNCITRAL, ICC, LCIA, DIAC and ADCCAC. The arbitrations include complex commercial dispute and construction disputes. The subject matter of the arbitrations is often based in the Middle East, where Tim lived and worked for 2 years.

He has also acted in court proceedings in support of arbitration, with particular experience of applications for anti-suit relief and applications to set aside arbitration awards.

Featured International Arbitration cases

- SP v MT (2016); Application to set aside an arbitration award (for in excess of US\$ 500 million) on the grounds of serious procedural irregularity regarding disclosure.
- Confidential ICC arbitration (2016); Acting for the employer in an ICC arbitration relating to the construction of a gas fired power station in Iraq. The claim raised issues of misrepresentation (including fraudulent misrepresentation) along with issues of delay and disruption. The sums claimed were in excess of US\$ 100 million. Tim was instructed as the sole advocate on behalf of the employer at the final hearing before 3 arbitrators that lasted approximately 4 weeks.
- Maldives Airport Arbitration (2016); Acting for the GMR-MAHB Consortium in a number of UNCITRAL arbitrations against the Maldives Government relating to the performance and termination a concession agreement relating to the main international airport in the Maldives (with Bankim Thanki QC and Justin Fenwick QC). The sum claimed for wrongful termination exceeded USD 1.4 billion. The claim has also involved two sets of proceedings before the High Court of Singapore for an anti-suit injunction and an injunction preventing termination of the Concession Agreement (Maldives Airports Co Ltd and Anor v GMR Male International Airport Pte Ltd [2013] SGCA 16).
- Confidential ICC arbitration (2016); Acting for the sub-contractor in an ICC arbitration relating to the construction of an oil processing facility in the Kingdom of Saudi Arabia.
- Confidential ICC arbitration (2016); Acting for a JV partner in a dispute involving a site fabrication yard in the Kingdom of Saudi Arabia.
- Confidential LCIA arbitration (2016); Acting for a high profile GCC individual in an LCIA arbitration relating to an investment in a telecommunications company. The claim is for in excess of US\$ 500M. The claim also involved related proceedings in the GCC and an application for anti-suit relief to the Tribunal.
- Arbitration in Dubai; Acting for an insurer in an arbitration (in Dubai) regarding an insurance claim following a fire at commercial premises (policy governed by UAE law).
- Expert determination proceedings (2016); Acting as sole advocate for the main contractor in ADR proceedings in support of an ICC arbitration relating to the construction of a strategic oil pipeline across the UAE. The contract value was in excess of US\$ 3 billion and the sum in dispute exceeded USD 500 million. The contract was subject to UAE law.
- Confidential arbitration in Dubai (2016); Acting for the contractor in an UNCITRAL arbitration relating to a claim brought by a contractor against an employer in respect of the construction of a shopping centre and hotel complex in Dubai following the termination of the main contract (governed by UAE law). The claim involved issues of wrongful termination,

- delay and disruption and there were also parallel proceedings in the Dubai courts relating to a performance bond.
- Confidential LCIA arbitration (2016); Acting for the owners of a Bahraini construction company in an LCIA arbitration relating to a dispute involving a private equity investment in the company by an international investment fund. The claim involved allegations of breaches of warranty and allegations of fraud.
 - Claim against an architect in Dubai (2016); Acting for a Dubai subsidiary of a Singaporean contractor in a claim against a sub-contractor which involved allegations of defective architectural design work (contract governed by UAE law).

Construction & Engineering

“He is a really reliable pair of hands with both a legal and commercial mind.” “Timothy is personable, responsive and sociable.” “Tim is able to work with a team seamlessly. His ability to filter the issues and provide clarity and structure to complex matters to focus on what is important is invaluable.” – Chambers & Partners, 2023

“Pragmatic and commercial. Timothy provides legal analysis with a dash of common sense.” – Legal 500, 2023

“Tim is a great team player and works very hard. He is very bright and technically strong.” – Legal 500, 2022 (Middle East: Construction)

“Tim is a very thorough and skilful barrister who is able to provide clear and pragmatic advice in relation to the dispute subject matter.” – Legal 500, 2022

“He is highly capable of dealing with complex legal issues.” – Chambers & Partners, 2022

“Highly commercial, responsive, understands immediately what clients need and delivers.” – Legal 500, 2021

“He is an outstanding professional and is very quick in grasping, analysing and articulating a case. His drafting is a big strength and he cross-examines very ably.” – Chambers & Partners, 2021

“Ruthlessly efficient in trial.” – Legal 500, 2020 (Middle East: Construction)

Tim is a recommended junior in Chambers & Partners and Legal 500 for construction and engineering disputes.

As noted in the directories, his practice encompasses the full spectrum of litigation and arbitration, both domestic and international. Tim is often instructed in disputes relating to projects in the Middle East involving, in particular, allegations of delay and disruption. He is familiar with most standard form contracts with particular expertise in FIDIC based contracts. He has also been involved in a number of disputes involving PFI and other long term relationship contracts.

Tim is a TECBAR accredited adjudicator who acts in adjudications both as adjudicator and counsel. He is also often involved in proceedings for the enforcement of adjudication awards in the Technology and Construction Court. He has dealt with a number of adjudications which raised issues of jurisdiction and procedural unfairness.

Featured Construction & Engineering cases

- Confidential ICC arbitration (2016); Acting for the employer in an ICC arbitration relating to the construction of a gas fired power station in Iraq. The claim raised issues of misrepresentation (including fraudulent misrepresentation) along with issues of delay and disruption. The sums claimed were in excess of US\$ 100 million. Tim was instructed as the sole advocate on behalf of the employer at the final hearing before 3 arbitrators that lasted approximately 4 weeks.
- Confidential ICC arbitration (2016); Acting for the sub-contractor in an ICC arbitration relating to the construction of an oil processing facility in the Kingdom of Saudi Arabia.
- Expert determination proceedings (2016); Acting as sole advocate for the main contractor in ADR proceedings in support of an ICC arbitration relating to the construction of a strategic oil pipeline across the UAE. The contract value was in excess of US\$ 3 billion and the sum in dispute exceeded USD 500 million. The contract was subject to UAE law.
- Confidential arbitration in Dubai (2016); Acting for the contractor in an UNCITRAL arbitration relating to a claim brought by a contractor against an employer in respect of the construction of a shopping centre and hotel complex in Dubai following the termination of the main contract (governed by UAE law). The claim involved issues of wrongful termination, delay and disruption and there were also parallel proceedings in the Dubai courts relating to a performance bond.
- *Lalana Hans Place v MBP* [2017] EWHC 29 (TCC); Acting for a firm of structural engineers in respect of a dispute involving the design of substantial basements constructed beneath high-value residential property in central London. The case

settled on the day the trial was listed to start.

- Claim against a structural engineer; Acting for a firm of structural engineers in respect of a dispute involving the design of staircases and transfer beams in a central London development. The claim involves issues of delay and disruption.
- Claim against an architect; Acting for a firm of architects in a claim involving allegations of negligence regarding the design and construction of security measures at a jewellery shop in London following a raid where watches worth several million pounds were stolen.
- Claim against an architect in Dubai; Acting for a Dubai subsidiary of a Singaporean contractor in a claim against a sub-contractor which involved allegations of defective architectural design work (contract governed by UAE law).
- Claim against a quantity surveyor; Acting in an adjudication where the allegation was negligent certification of a final account by a quantity surveyor. The adjudication involved cross-examination of expert quantity surveyors.
- Claim against an M&E contractor; Acting in a substantial adjudication involving allegations of defective works in the construction of the development used as the Olympic Village for the 2012 games.
- Dispute regarding waste handling contract; Acting in a number of related adjudications in relation to the long term PFI contracts regarding sewage processing in Northern Ireland (with Anneliese Day QC).
- PFI dispute; Acting in adjudication proceedings relating to the contract to supply and install water meters in Central London.
- Family Mosaic Housing v Mears Ltd LTL 5/5/2016; Acting (with Anneliese Day QC) in Part 8 Proceedings relating to the true construction of a settlement agreement that terminated a long term supply agreement for maintenance services in respect of social housing. Also instructed in related adjudications.
- Dispute between employer and main contractor; Acting for the main contractor in a dispute involving the construction of a railway bridge.
- Adjudication; Acting (as adjudicator) in respect of a payment dispute regarding works connected with a railway.
- Adjudication; Acting (as adjudicator) in an adjudication involving allegations of wrongful termination of a ground works contract.
- Bank guarantee; Acting for a main contractor on the true construction of an agency agreement and a bank guarantee.

Professional liability

“Tim has always fought hard for our client, who I know appreciates his clear vision and understanding of the case.” “He’s good on his feet, has a good level of detail and knowledge and he’s commercial too.” – Chambers & Partners, 2023

“Very good on this feet, authoritative advocacy. Good on paper too.” – Legal 500, 2023

“He is a hugely hard-working barrister and is easy to work with. He is very good at finding the right option in a common-sense way.” – Chambers & Partners, 2022

“He is brilliantly smart and second to none in terms of tactics and strategy. Working with Tim spoils you for working with other barristers.” – Legal 500, 2021

“A really solid performer who is consistently busy in really sizeable and exciting cases, and has loads of experience in professional negligence work.” “His advice is excellent and he just gets on with things.” – Chambers & Partners, 2021

Tim is a recommended junior in the Legal 500 and Chambers & Partners for professional liability claims.

Tim has extensive experience in the full range of claims brought against professionals and regularly acts for both claimants and defendants. He has acted both for and against solicitors, surveyors, architects, accountants, insurance brokers and financial services professionals.

With a degree in chemistry and professional experience working as a software developer, Tim has a very strong scientific and technical background and hence he is often involved in cases that raise complex scientific and technical issues. These claims include claims against construction professionals, information technology professionals and patent agents.

Lawyers

Tim has been involved in a substantial number of claims against solicitors and barristers where the underlying subject matter relates to both civil and criminal matters. He has particular experience of claims that relate to the misconduct of litigation and

also claims involving residential and commercial conveyancing transactions. He has also been involved in a number of wasted cost claims involving both solicitors and barristers.

As a result of his experience with issues relating to legal costs (Tim is also a recommended junior in the field of legal costs), Tim is also often involved in claims where there are allegations of overcharging and negligence.

Featured cases

- Claim involved allegations of misconduct of Lands Tribunal proceedings; Acting for the claimant in a claim against both solicitors and counsel (along with other professionals) involving allegations of negligence in the course of proceedings before the Lands Tribunal for compensation following the compulsory acquisition of commercial premises in Bristol (with David Halpern QC).
- Claim relating to the mishandling of financial proceedings arising out of a divorce; Acting for the claimant in a claim against his former solicitors and accountants involving allegations of misconduct in divorce proceedings that led to an agreed financial settlement being set aside (with Roger Stewart QC).
- Claim against a solicitor; Acting for a solicitor accused of mismanagement and under-settlement of litigation by an IFA against his former umbrella organisation. The amount of the under settlement is said to be in excess of £6 million.
- *Brown & Ors v Innovatorone Plc & Ors* [2012] EWHC 1321 (COMM); Acting for a senior partner of a London law firm accused of conspiring to defraud investors in the *Innovator* litigation (led by Sue Carr QC). Following a 16 week trial, all claims were dismissed.
- Acting for a barrister accused of misconduct in the course of a trial of a construction dispute.

Construction Professionals

Tim is regularly instructed in construction and engineering disputes that involve allegations of professional liability, particularly involving architects, quantity surveyors and structural engineers. He has particular experience of construction and engineering disputes in the Middle East. With his technical background, he particularly enjoys claims which raise complex scientific and technical issues.

Tim is a TECBAR accredited adjudicator and has considerable experience of adjudication in professional liability matters. He has dealt with a number of adjudications and also proceedings to enforce adjudication awards that raised issues of jurisdiction and procedural unfairness.

Tim is an editor of the Construction Professionals chapter of the 8th edition of Jackson & Powell on Professional Liability.

Featured cases

- Claim against a quantity surveyor; Acting in an adjudication where the allegation was negligent certification of a final account by a quantity surveyor. The adjudication involved cross-examination of expert quantity surveyors.
- Claim against M&E contractor; Acting in a substantial adjudication involving allegations of defective works in the construction of the development used as the Olympic Village for the 2012 games.
- *Lalana Hans Place v MBP* [2017] EWHC 29 (TCC); Acting for a firm of structural engineers in respect of a dispute involving the design of substantial basements constructed beneath high-value residential property in central London. The claim involved an issue regarding the extent privilege can be asserted by an expert in respect of advice given regarding required remedial works.
- Acting for a firm of structural engineers in respect of a dispute involving the design of staircases and transfer beams in a central London development. The claim involves issues of delay and disruption.
- Claim against an architect; Acting for a firm of architects in a claim involving allegations of negligence regarding the design and construction of security measures at a jewellery shop in London following a raid where watches worth several million pounds were stolen.

Surveyors & Valuers

Tim also has experience in claims against valuers involving both residential and commercial property. He has been instructed both by banks seeking to recover losses caused by negligent valuations and also by valuers defending such claims. He also has been involved in a number of mortgage fraud cases. Tim also has experience of contribution claims brought by solicitors against valuers.

Featured cases

- Claim relating to a failed tax scheme; Acting for a firm of valuers who provided a valuation of a technology business for the purposes of a tax scheme (with Jamie Smith QC).
- Claim against a surveyor; Acting in a number of cases involving allegations of negligent valuations provided by surveyors to lenders (including claims where it is said that the underlying transaction was fraudulent).

Accountants, Auditors & Actuaries

Tim's experience of claims against accountants ranges from group litigation by a number of investors in a film finance scheme to claims against accountants by individuals in respect of negligent tax advice. His recent cases include a claim for damages following the admitted failure by an accountant to file accounts and a claim against finance director for mismanagement of corporate accounts.

Featured cases

- Claim against an accountant; Acting for a Claimant in a claim where a company was struck off as a consequence of the (admitted) breach of duty by the company's accountant.
- *Standard Life v Corr and others* [2015] EWHC 3844 (COMM); Acting for a company director accused of misconduct in the course of preparation of company accounts in a claim worth in excess of £20 million (with Graeme McPherson QC).

Financial Services Professionals

Having worked for Goldman Sachs prior to coming to the Bar, Tim is regularly involved in claims involving financial services professionals, ranging from group litigation against accountants accused of giving negligent tax advice to smaller claims against IFAs.

Featured cases

- Keydata litigation; Acting for a number of IFAs in proceedings brought by the FSCS in the Commercial Court relating to the collapse of Keydata.
- Claim against IFAs; Acting for a number of IFAs in a substantial commercial Court action involving allegations of pension transfer mis-selling.
- Claim against fund managers; Acting for an individual in a claim against a fund managers accused of mismanaging investments.

Insurance Brokers & Agents

Tim is involved in claims both where the primary claim is against the insurance broker and also disputes between policy holders and insurers where the broker has been added as an additional party. He has experience of claims involving material non-disclosure, negligent advice by brokers and also claims where the broker failed to renew insurance policies.

Featured cases

- RR Securities Ltd & Ors v Towergate Underwriting Group [2016] EWHC 2653 (QB); Acting as sole counsel for the successful Claimant in a trial in the Mercantile Court in a claim involving allegations of failure to advise on minimum security standards.
- Claim against Insurance Brokers; Acting for a producer of industrial chemicals in a claim against its insurance broker following a fire in the course of the construction of a new chemical plant.
- Claim against insurance broker; Acting for a commercial laundry in a claim against its broker involving allegations of under-insurance.
- Claim against insurance brokers; Acting for the claimant in a substantial claim against an insurance broker resulting from the avoidance of a buildings insurance policy following a fire by underwriters.

Patent agents

Tim has experience of claims against patent agents involving allegations of negligent advice in respect of the validity and registration of patents. With his scientific background, Tim is often instructed in litigation that involves complicated technical issues.

Commercial Litigation

“Very good on this feet, authoritative advocacy. Good on paper too.” – *Legal 500, 2023*

“Tim is very client-friendly, commercial in approach, great to work with in terms of responsiveness and getting to grips with the case and the issues involved; he is a great asset to the team.” – *Legal 500, 2022 (Middle East: Commercial)*

“A wonderfully practical approach that boils down complex litigation to the essentials and makes it easier for solicitors and clients alike.” – *Legal 500, 2022*

Tim has acted in a wide range of commercial disputes including those arising from concession agreements for infrastructure projects, project finance and a variety of contractual claims. Tim has particular experience of claims where there are competing proceedings in different jurisdictions and those involving issues of conflict of laws.

Additionally, having worked as a software developer prior to coming to the Bar, Tim has experience in every stage of software development from concept design to testing and implementation and hence Tim is often instructed in claims that relate to computer contracts and information technology professionals.

Featured Commercial Litigation cases

- SP v MT (2016); Application to set aside an arbitration award (for in excess of US\$ 500 million) on the grounds of serious procedural irregularity regarding disclosure.
- Maldives Airport Arbitration; Acting for the GMR-MAHB Consortium in a number of UNCITRAL arbitrations against the Maldives Government relating to the performance and termination a concession agreement relating to the main international airport in the Maldives (with Bankim Thanki QC and Justin Fenwick QC). The sum claimed for wrongful termination exceeded USD 1.4 billion. The claim has also involved two sets of proceedings before the High Court of Singapore for an anti-suit injunction and an injunction preventing termination of the Concession Agreement (*Maldives Airports Co Ltd and Anor v GMR Male International Airport Pte Ltd*[2013] SGCA 16).
- Confidential ICC arbitration (2016); Acting for a JV partner in a dispute involving a site fabrication yard in the Kingdom of Saudi Arabia.
- Confidential LCIA arbitration (2016); Acting for a high profile GCC individual in an LCIA arbitration relating to an investment in a telecommunications company. The claim is for in excess of US\$ 500M. The claim also involved related proceedings in the GCC and an application for anti-suit relief to the Tribunal.
- Confidential LCIA arbitration (2016); Acting for the owners of a Bahraini construction company in an LCIA arbitration relating to a dispute involving a private equity investment in the company by an international investment fund. The claim

involved allegations of breaches of warranty and allegations of fraud.

- Claim relating to a failed tax scheme; Acting for a firm of valuers who provided a valuation of a technology business for the purposes of a tax scheme (with Jamie Smith QC).
- Shareholder dispute; Representing an individual seeking a declaration in High Court Proceedings that he is the beneficial owner of shares that were the subject of a fraudulent transfer.
- Claim against a company director; Acting for a company director accused of misconduct in the course of preparation of company accounts in a claim worth in excess of £20 million (with Graeme McPherson QC).

Insurance

Tim also regularly advises insurers on coverage issues and additionally on the meaning of policy wording. Tim has particular experience dealing with issues in respect of professional indemnity policies and cases which raise issues where a conflict of interest has arisen between insurers and policyholders.

Tim has also been instructed in a number of cases where the insurance broker is accused of negligence.

Tim also regularly deals with subrogated recovery actions by insurers against construction professionals.

Featured Insurance cases

- Arbitration in Dubai; Acting for an insurer in an arbitration (in Dubai) regarding an insurance claim following a fire at commercial premises (policy governed by UAE law).
- RR Securities Ltd & Ors v Towergate Underwriting Group [2016] EWHC 2653 (QB); Acting as sole counsel for the successful Claimant in a trial in the Mercantile Court in a claim involving allegations of failure to advise on minimum security standards.
- Claim against insurance broker; Acting for a producer of industrial chemicals in a claim against its insurance broker following a fire in the course of the construction of a new chemical plant.
- Claim against insurance broker; Acting for the claimant in a claim against their insurance brokers involving allegations of failure to advise about material terms in the policy.
- Claim against insurance broker; Acting for a commercial laundry in a claim against its broker involving allegations of under-insurance.
- Claim against insurance broker; Acting for the claimant in a multi-million pound claim against an insurance broker resulting from the avoidance of a buildings insurance policy following a fire by underwriters.
- Repudiation of cover; Acting for the claimant in a claim for against insurers for wrongfully repudiating cover following a fire in the course of the construction of a chemical factory.

Information Technology

Tim worked as a software developer for Goldman Sachs prior to coming to the Bar and hence has significant first-hand experience of the full life cycle of IT projects. He has been instructed in a number of disputes relating to IT contracts involving both issues of defective software and late delivery of projects. His cases often involve complex technical expert evidence.

Tim was recently involved in a number of disputes relating to a contracts with a number of governments in the Middle East for substantial infrastructure projects in the region. The cases involved allegations of defects with the software and late delivery of project requirements along with claims of wrongful termination of the contracts. The cases also raised issues relating to national security.

Tim has also recently been instructed by a local authority to advise in respect of the proper construction of an outsourcing contract.

Tim edited of the Information Technology chapter of the 7th edition of Jackson & Powell on Professional Liability.

Costs

“Pragmatic and commercial. Timothy provides legal analysis with a dash of common sense.” – *Legal 500, 2023*

“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 (Mulholland 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.

Featured Costs 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 *Mulholland* 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.
- 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)* [2010] EWHC CIV 101; 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.

Awards



Qualifications

MChem (Oxon) Dip. Law (City)

TECBAR – accredited adjudicator

Society for Construction Law

COMBAR

PNBA