

Practice Areas

Overview
Banking and Financial
Services
Charities
Commercial Disputes
Company
Consumer Credit
Court of Protection
Insolvency
Partnership and Joint
Ventures

Professional Liability

Pensions
Property
Tax
Trusts
Wills and Estates
International

Piers Feltham

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Profile: Professional Liability

Experience and Expertise

Piers Feltham acts for and against solicitors, accountants and financial advisers in claims for compensation for losses suffered as a result of professional negligence in relation to matters such as residential and commercial conveyancing, the making and administration of trusts and wills, the conduct of litigation, the establishment of joint ventures and other commercial relationships, investments and tax mitigation schemes.

Breach of trust claims frequently also involve a Part 20 claim against solicitors who advised the trustees, in relation to an alleged breach of duty, for instance by failing to have proper regard to the interests of a life tenant.

Piers is currently acting in two cases against professional trustees on behalf of different life tenants: one whose trustees who exhausted her trust fund on failed applications for planning permission to develop farm land; and another whose professional trustees failed to have proper regard to her interests in their investment policy.

He recently represented the defendant solicitor in a mortgage fraud claim involving over 1000 different properties, which involved hearings before one Commercial Court and five Chancery Judges raising issues, inter alia, as to the Civil Liability Contribution Act, sampling of transactions in large litigation, the fraud exception from legal professional privilege, admission of evidence under the Rehabilitation of Offenders Act, and at the five week trial (which settled on the second day) with central issues as to lender knowledge and the meaning of dishonesty after the cases of *Twinsectra* and *Barlow Clowes*.

Piers was also recently instructed in a substantial claim for losses suffered as a result of negligent advice to transfer a pension fund.

Other recent cases include two claims against solicitors for negligence in relation to the making of wills, in one by failure to draft a will so as to prevent it being revoked by marriage and acting for a solicitor whose conduct of a will file was said to have led to a probate dispute.

Piers is also pursuing a claim against an IFA for a client who made investments through a structure that would inevitably result in loss as a part of a scheme to mitigate Spanish Inheritance Tax.