

Simon Thomas
Partner



Simon has widespread experience of professional indemnity disputes with emphasis on “loss of chance” claims. Over the last 20 years he has acted on behalf of a variety of professionals (and their insurers) to defend claims against solicitors, brokers, accountants, estate agents and a range of construction professionals.

Simon has also completed secondments within the claims teams of 3 leading London market PI insurers where he advised on a range of domestic and international claims.

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Career overview

Simon began his career in 1998 in a leading national firm’s insurance team, handling solicitors’ professional indemnity claims on behalf of Solicitors Indemnity Fund Limited. This coincided with the defence by SIF of both the Bristol & West lender litigation and subsequently the Halifax managed cases.

Since that time, Simon’s focus has been predominantly on the defence of claims brought against insurance brokers, barristers, IT professionals, accountants, estate agents and construction professionals. Simon has acted for a number of Lloyd’s and London Market insurers, and their policyholders, to defend such claims in both litigation and ADR/mediation.

Simon joined Carter Perry Bailey as a Partner in 2015.

Other disciplines

In addition to his professional indemnity work, Simon has experience of general policy coverage, water damage, theft and property damage claims, acting for both claimants and defendants.

Internationally, Simon has been involved in English aspects of overseas proceedings, working with overseas lawyers to obtain evidence from UK-domiciled individuals for use in (mainly) US-based proceedings.

In relation to non-contentious work, Simon has advised Government and public bodies on their insurance requirements and conducted policy ‘health checks’ on behalf of a number of commercial clients. He has advised underwriters on the scope and extent of wordings to be adopted upon renewal and assisted to revise a suite of policies for a London-based insurer’s professional indemnity offering.

Simon has benefitted from the completion of secondments with 3 leading London Market insurers where he advised on a range of domestic and international claims. He has also enjoyed a stint with a new London-based MGA to assist with its establishment of a claims function.

Simon regularly produces articles on insurance and liability-based issues and also provides regular training on a range of litigation / insurance topics.

Reported Cases

- *Alexander Forbes Europe Ltd (formerly Nelson Hurst UK Ltd) v SBJ Ltd [2002] EWHC 3121 (Comm)* - Duties owed by a professional indemnity broker upon receipt of a claim notification.
- *Tradebe Solvent Recycling Ltd (formerly Solvent Resource Management Ltd) v Coussens of Bexhill Ltd [2013] EWHC 3786 (QB)* - Measure and recovery of damages following a crane collapse.
- *Dzekova v Thomas Eggar LLP [2015] EWHC 2600 (QB)* - Method of service of Claim Form.
- *C Christo & Co Limited v Ms M Connolly [2017] (unreported)* - Pursuit of fees claim and defence of resultant counterclaim alleging breach of fiduciary duty and fraud.

Directory Recognition

Legal 500

- Simon Thomas '*maximises his client's position in every case, even the most legally and technically complex; he remains calm under fire and always has a good solution to a problem*'
- Simon Thomas is '*an excellent negotiator and tactician*', '*provides calm advice*' and '*sticks to his guns*'.