



Julian Field



Contents

Property Damage	1
Selected Cases	2
Insurance & Reinsurance	3
Selected Cases	3
Product Liability	5
Selected Cases	5
Commercial Fraud	5
Selected Cases	5
ADR	5
Qualifications	6
Memberships	6
Recommendations	6

"As good as most silks, very easy to work with, very grounded and a go-to for difficult work."
(Chambers & Partners 2015)



+44 (0)20 7797 8100

field@crownofficechambers.com

Julian Field is a senior junior with a commercial practice encompassing property damage, insurance, product liability, contract and tort, commercial fraud and professional negligence.

He began his career at 1 Paper Buildings, which then merged with 2 Crown Office Row in 2000 to form Crown Office Chambers. His initial general common law practice soon developed into a more commercial practice and his core specialties are now property damage and insurance, areas in which he has a wealth of experience and is very highly regarded. He is regularly retained on behalf of major insurers, often involving large, complex and high value disputes. He has a reputation for being 'user friendly' and able to work as part of a team.

Julian is consistently ranked as a leading junior in the legal directories, attracting comments such as:

- *"As good as most silks, very easy to work with, very grounded and a go-to for difficult work."*
- *"Has a fantastic reputation for handling significant property damage cases"*
- *"Has a deep-tissue insight into insurance claims"*

In parallel with his practice at the Bar, Julian is also an experienced mediator, accredited with both CEDR (1998) and the ADR Group (2005)

Julian welcomes **public access** clients.

Property Damage

Property damage is one of Julian's core specialties. He is regularly instructed by leading firms acting on behalf of property or liability insurers in relation to substantial high value property damage claims following fires, floods, explosions, etc. Often these claims arise in the context of construction work and he is experienced in considering contractual obligations under JCT and other standard form building contracts. Julian has been retained in high profile property damage cases such as *Grenfell Tower* and *Buncefield*.

Adept at dealing with complex technical issues Julian was, for example, primarily responsible for Total's

case on its tank The recent case of *Prezzo v High Point Estates* in which he successfully argued for a limited application of the principle in *Berni Inns* has attracted significant interest.

Selected Cases

- NMT Crane Hire v King Lifting – collapse of mobile tower crane at shopping centre in Reading.
- Prezzo v High Point Estates [2018] EWHC 1851 – £2m fire claim. Scope of the application of the principle in *Berni Inns*.
- Grenfell Tower disaster – instructed in relation to the refurbishment works, in particular the technical issues relating to the cladding and its compliance with contract specification and Building Regulations.
- The Hon. Edward & Mrs Iliffe v Feltham Construction, Affleck Mechanical Services, Docherty ChimneyGroup, Karl Callaway [2014] EWCH 2125 – £4.8m fire claim arising out of fire at recently constructed luxury timber house on private island in Poole harbour.
- AJK Woodflooring v Clipfine Construction – £2.4m fire claim arising out of fire at 21 Chesham Place during redevelopment of luxury apartments by the Candy brothers.
- Tomlinson, Tomlinson, Van Riel, Van Riel, Knight, White and White v Yorkshire Water Services Ltd, Costain Ltd and Transcore Ltd – landslip at Whitby, N Yorkshire destabilising terrace of properties higher up slope. Properties demolished. Multiple actions by owners claiming landslip due to Yorkshire Water’s leaking sewers.
- Crestel Partnerships Ltd v Anglian Water Services Ltd – housing development construction site flooded by escape of water from Anglian Water’s pipework and infrastructure.
- Re: City West Housing Trust – Irlam Gas Explosion – gas explosion in Irlam, Greater Manchester during course of renovation works to City West’s housing stock. Four houses destroyed. Claim by City West against gas contractors.
- Car Hospital Ltd v AGM Services Ltd – car bodyshop and accident repair centre destroyed by fire originating in paint spray booth. Claim against contractors who serviced the booth.
- Accident Exchange Ltd v (1) Zurich Insurance Plc, (2) Aviva Insurance UK Ltd, (3) AXA Insurance UK Plc – test case by credit hire company Accident Exchange to determine proper measure of its loss when its hire vehicles are involved in accidents and as a result are unavailable to be hired out.
- JF Finnegan Ltd v (1) Balfour Beatty Ground Engineering, (2) WSP North Ltd, (3) Carnby Structures Ltd – £7m+ claim arising out of damage to recently constructed office building at Sheffield Business Park. Claims against piling contractors, steelwork contractors and engineers.
- City of London & LS Bankside v (1) Bovis, (2) Carillion (3) Overbury, (4) Grattes, (5) Foreman Roberts, (6) Broadcrown – £12m claim arising out of damage to prestige office block adjacent to Tate Modern caused by overflow of diesel oil from storage tank on top floor.
- Colour Quest Ltd v Total Downstream UK Plc [2009] EWHC 540; [2009] EWHC 823 (QB) – the Buncefield litigation. Explosion caused by overspill from fuel storage tank.
- Tate Gallery v Duffy Construction Ltd [2007] EWHC 361 (TCC) – flooding at the Tate Gallery. Coinsurance and construction of contract.
- BASF v Nu-Way – explosion and fire caused by catastrophic failure of gas booster.
- Rhodia (Albright & Wilson) v Biachem [2003] 2 All ER (Comm) 753 (House of Lords) – explosion at chemical plant. Contract – misdelivery of goods.

Insurance & Reinsurance

Insurance is another of Julian's core specialties. His insurance practice covers all aspects of non-marine insurance including coverage, misrepresentation, non-disclosure, unfair presentation of the risk, breach of warranty, breach of condition, insurable interest and subrogation. He is a specialist in fraudulent claims. He successfully represented AXA in the Court of Appeal in *AXA v Gottlieb*, a notable case on fraudulent claims and has produced a podcast for CPDcast on insurance fraud. Julian has also been a contributor to Westlaw's Insight on insurance.

The case of *Leeds Beckett v Travelers Insurance (2017)* in which Travelers successfully argued that damage was inevitable and therefore not accidental, has generated significant legal interest and has been widely commented upon.

Julian has been retained by a major insurer to advise on coverage issues arising out of the Covid-19 pandemic.

Selected Cases

- Re: Covid-19 – advising major insurer on coverage under its property damage and business interruption policies in respect of Covid-19 claims.
 - Re: former Zanzibar Restaurant site, Jersey – claim by piling sub-contractor under liability policy in respect of its liability to main contractor arising out of damage to neighbouring properties caused by piling and excavation works. Issues as to coverage, whether damage inevitable and breach of reasonable precautions condition.
 - Re: Fire at thermal energy recovery facility – £20m claim arising out of catastrophic disintegration of turbine and subsequent fire at thermal energy recovery facility. Incident caused by operator error. Claims under asset protection and revenue protection policy. Composite policy. Advising insurer on liability under policy to various different insureds with differing interests in the facility. Complex issues in relation to characterisation of cause(s) of loss, construction of policy and application of exclusion clauses to insureds who were not responsible for the loss.
 - Re: The Lancasters, Lancaster Gate – multi-million pound claims against insurers under a Building Defects Guarantee policy issued in respect of a an “ultra-prime” redevelopment of a Grade II listed Georgian Terrace overlooking Hyde Park.
 - Casson v Spotmix Ltd & Gable Insurance AG – £10m employers’ liability claim. Acting for the defendant employer’s insurers in relation to its avoidance of the defendant’s EL cover.
 - Leeds Beckett University v Travelers Insurance Co Ltd [2017] Lloyd’s Rep. I.R. 417 (TCC) – “All Risks” property damage policy. Catastrophic failure of below ground concrete blockwork due to water leaching and sulfate attack. Successfully argued on behalf of insurers that damage was inevitable and therefore not “accidental”. Also successfully argued that claim excluded under the “gradual
-

- deterioration” and “faulty or defective design” exclusions.
- LB of Southwark v Woodwell Ltd, Catlin and Argo Syndicate – £9m claim in respect of fire at Old Walworth Town Hall. Numerous issues under the policy including coverage in respect of contractual liability and breach of condition precedent in relation to “hot works.”
 - Mandalia v Beaufort Dedicated No 2 [2014] EWHC 4039 (QB) – owners of commercial premises claiming for malicious damage and theft arising out of conduct of tenants who had abused premises and then quit, taking Claimants’ property and leaving premises in deplorable state. Dispute as to construction of policy, coverage and applicability of exclusion clauses. Also allegation of fraud in the claim.
 - Re: Pollution & Contamination Clauses – advising leading insurer on coverage in relation to various P&C exclusions clauses in a number of policies and their applicability in relation to claims for damp and mould in buildings, Legionella, asbestos disease claims, carbon monoxide poisoning and lead poisoning.
 - Allianz Insurance v Harrison & Harrison – fire at commercial premises. Material Damage and Business Interruption claim. False information provided to insurers in support of claim. Issues as to whether dishonest and fraudulent.
 - Karani v Show Projects – claim by Gerry Cottle’s circus arising out gas explosion in caravan injuring performer. Issues included whether an EL or PL claim, late notification, estoppel, exclusion for deliberate acts, breach of condition precedent and avoidance.
 - Re: Volcanic Ash – direct instructions from AXA to advise on whether disruption to air travel caused by eruption of the Eyjafjallajökull volcano in Iceland was covered under AXA’s travel policies.
 - Tate Gallery v Duffy Construction Ltd (No 2) [2007] EWHC 912 (TCC) – flooding at the Tate Gallery. Reasonable precautions condition.
 - Axa General Insurance v Gottlieb [2005] Lloyd’s Rep IR 369 (Court of Appeal) – fraudulent claim. Claim paid in part by insurers before discovery of fraud. Effect of forfeiture on sums already paid.
 - Paine v Catlins [2005] Lloyd’s Rep IR 665 (TCC) – fire claim. Construction of policy.
 - Morant v Zurich & Amlin – fire claim. Misrepresentation, breach of warranty and fraud in the claim.
 - Midland Mainline v Commercial Union & Eagle Star [2004] Lloyd’s Rep 739 (Court of Appeal) – shut down of rail network following Hatfield derailment. Business interruption and proximate cause.
 - Southampton FC v Avon [2004] EWHC 571 (QB) – permanent health insurance. Whether an injury to professional footballer was the “sole and independent cause” of his inability to continue playing.
 - Gerling v Turner & Newall – Multi-million pound coverage and avoidance dispute arising out of the presence of asbestos in buildings in US.
 - Pryke v Gibbs Hartley Cooper – duties of intermediary on a binding authority.
 - BICC v English & American – multi-million pound dispute between insured, insurers and brokers arising out of Stop Loss policy.
 - Reinsurance Arbitration – avoidance of Marine Non-Proportional Treaty.
 - Reinsurance Arbitration – avoidance of reinsurance contracts; breach of duty by brokers.
 - Harding v Weatherbys – fraudulent claim under bloodstock policy resulting in avoidance of policy; liability of intermediaries to insured.
 - Banque Bruxelles Lambert v Zurich & Various Lloyd’s Syndicates – claims by banks and MIG insurers under Third Parties (Rights Against Insurers) Act 1930 against insurers of John D Wood. NEM v Pan Atlantic – claim by reinsureds under Excess of Loss retrocession contract.
 - Arbitration, East Africa – dispute between insurer and insured as to entitlement to costs of reinstatement following hotel fire in Dar es Salaam.



Product Liability

Julian has a wide experience of different types of product liability claims, acting for manufacturers, suppliers and end-users.

Selected Cases

- Karro Foods v Town View Foods – Contaminated meat.
- County Glazing v Dow Corning Hansil – Silicone double-glazing sealant.
- Dalton v Hoechst UK – Veterinary pharmaceuticals.
- Beckwith v W & J Pye – Livestock fatalities; contaminated cattle feed.
- Dowty v Asda & Johnson Wax – Fire; defective plug-in air fresheners.
- Richardson v LRC Products – Condom; failure in use; unwanted birth.

Commercial Fraud

Julian has extensive experience acting on behalf of those who have suffered loss as a result of commercial fraud. In 2018 he represented investors in a successful settlement of their claim against an international firm of lawyers, whose rogue partner had been involved in a Ponzi scheme.

Selected Cases

- Aziz v Euro-Am – £4.5m fraud on member of Malaysian Royal Family; worldwide injunction; tracing of assets within jurisdiction and abroad.
- Jamin v Snelgar – £850,000 fraud by accountant on his client; worldwide injunction; applications to commit for contempt of court.
- Council of Licensed Conveyancers v Atkins – Fraud by Licensed Conveyancer on his clients; £1m worldwide injunction; tracing of assets.
- State Bank of South Australia v Quercus – Insurance brokers' fraud; £1.6m injunction.

ADR

Julian is a CEDR and ADR Group registered mediator and has been mediating since 1998. The range of disputes mediated include insurance, insurance brokers' negligence, commercial contracts, product liability, construction, solicitors' negligence, banking and sale of goods.

Comments on his skills as a mediator include:



-
- *"very impressive with a calm approach"*
 - *"has a very good manner, managed the parties extremely well"*
 - *"did a good job in a mediation where the parties were a long way apart"*
 - *"very impressive, would certainly use again"*

Qualifications

- ADR Registered Mediator
- CEDR Registered Mediator
- LLB, King's College London

Memberships

- Commercial Bar Association
- London Common Law & Commercial Bar Association
- Professional Negligence Bar Association
- Technology & Construction Bar Association

Recommendations

"Has sound tactical judgement as a result of a wealth of experience."

Legal 500, 2019

"Extremely experienced – very reliable, thorough and easy to work with."

Chambers & Partners UK Bar 2019

"A very safe, experienced pair of hands who is good at calming down anxious clients."

Chambers & Partners UK Bar 2018

"He is very good at analysing the actual issues in a case and focusing on them."

Chambers & Partners UK Bar 2018

"Highly rated"

Legal 500, 2017

"An insightful senior junior, who is as good as a silk"

Legal 500, 2016

"He misses no detail and is very to the point and focused"

Chambers and Partners UK Bar 2016

"As good as most silks, very easy to work with, very grounded and a go-to for difficult work."

Chambers & Partners UK Bar 2015

"experienced in large property damage claims – excellent reputation"

Legal 500, 2014



“Has a fantastic reputation for handling significant property damage claims based upon tortious or contractual liability”

Chambers & Partners UK Bar 2013, 2014

“Leading Junior in the fields of Construction and Professional Negligence”

Legal 500, 2008-2014)

“Leader at the Bar in Commercial Dispute Resolution - has 'deep-tissue insight into insurance claims”

Chambers & Partners UK Bar 2008