

ThirtyNine
ESSEX STREET

what's in a number?



“Members act as advocates, mediators and arbitrators in the United Kingdom, the EU and worldwide.”

Chambers & Partners 2009

Thirty Nine Essex Street What's in a number?

The members of Thirty Nine Essex Street possess a wide range of expertise, both as advocates and advisers. Our diverse client base includes public and private companies, government departments and agencies, utilities, NGOs, insurance companies, professional indemnity insurers, local authorities, trade unions, educational bodies, health authorities and trusts, and individual litigants. Members also undertake pro bono work and act for public interest organisations. Instructions are accepted through direct professional access from recognised organisations and overseas lawyers.



Thirty Nine Essex Street What's in a number?

Advice, Advocacy and ADR

Advocacy

Thirty Nine Essex Street is a specialist advocacy Chambers. Our members have extensive experience in all courts and tribunals in England and Wales. Members of Chambers have represented clients in the House of Lords, the Privy Council, the Court of Appeal, the European Court of Justice and the European Court of Human Rights, as well as the full range of courts, public inquiries, employment, health, immigration and VAT tribunals. We have also participated in major investigations before parliamentary select committees. In addition, Chambers has a large number of barristers on the Treasury panels of counsel instructed on behalf of the Crown.

Many of our members also act as advocates in overseas jurisdictions including Hong Kong, Singapore, Dubai, Abu Dhabi, Belize, the Caribbean, China, Malaysia, Australia and the USA.

Arbitration

As advocates and advisors, members of Chambers assist at every stage and level of arbitrations, from preliminary advice through to hearings and in related court work including appeals. As well as extensive work under domestic arbitration rules, for example in the construction field – the CI Arb, JCT, CIMAR, ICE rules, and in the commercial field – the City Disputes Panel and LMAA, and other ad hoc appointments not subject to any particular rules, Chambers arbitrators have extensive experience of international arbitration. Work has been undertaken by members under the AAA, ICC, ICDR, UNCITRAL, LCIA, Geneva Chamber of Commerce, WIPO, DIAC, CIETAC and other international arbitration rules.

Mediation

We have trained mediators active in both the private and public sectors. In the private sector, their experience includes costs, employment, commercial and construction disputes as representatives, advisors and mediators. In the public sector, Chambers has been extensively involved in training Treasury Solicitors in mediation skills, educating central government as to the utility of mediation and guiding various departments through the mediation process. At the local government level, Chambers has been involved in similar initiatives as well as formulating with CEDR the best means for resolving local government disputes.

*“a set known for its ‘solid and clear advice’
and ‘excellent manner with clients’”*

Legal 500 2008

Thirty Nine Essex Street What's in a number?

Administrative and Public

At Thirty Nine Essex Street we have established a leading reputation in the field of public and administrative law, and members undertake all aspects of judicial review and public law work for both Claimants and Defendants. Work includes civil liberties and human rights, professional regulation, education, local government, health, mental health, community care, housing and housing associations, prisons, public procurement, immigration, VAT and Customs & Excise.

We are able to provide a one-stop-shop service of advice and assistance to Local Government and have been appointed to panels of preferred Chambers by numerous local authorities following competitive tender processes.

Health, Mental Health and Community Care Law

Members' substantial experience includes powers of local health and social services authorities, primary and hospital care trusts, and central government; nursing and residential care homes; confidentiality and access to medical records; disciplinary and regulatory disputes; decision-making for patients lacking capacity; charging for services; clinical negligence.

European Law

Members of Chambers practice in all areas of European law before domestic and EU courts, including competition, discrimination and equality law, public procurement, free movement, state aids and milk quotas. Members regularly provide advice and assistance to lawyers within the European Union.

Human Rights

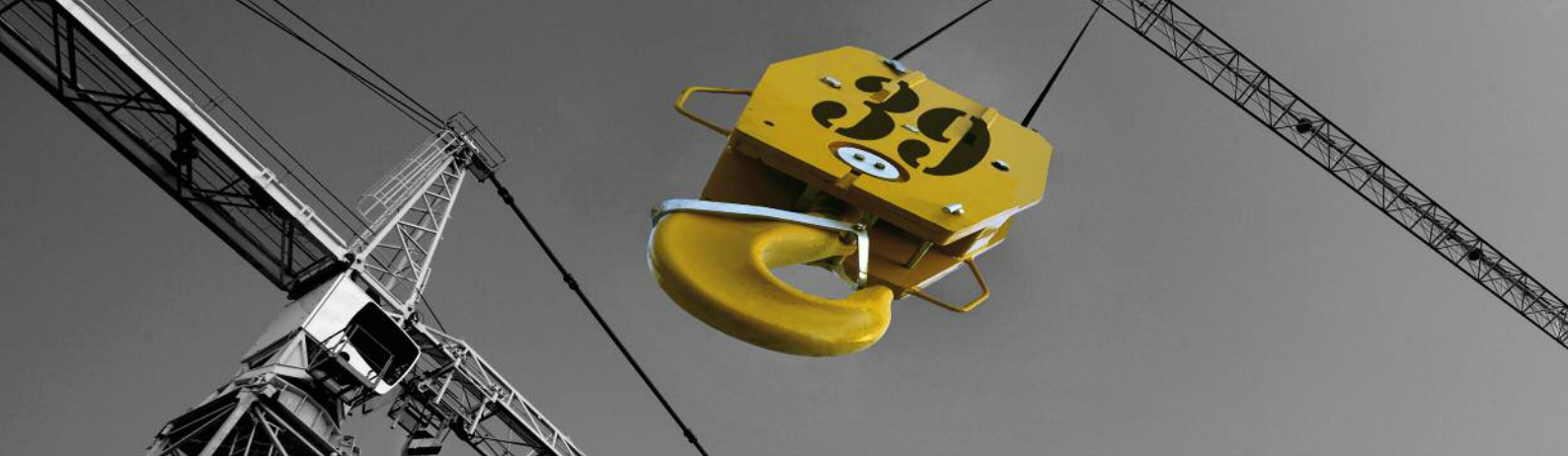
At Thirty Nine Essex Street we have a long-established commitment to human rights work. Members of Chambers regularly appear in Human Rights Act cases and also have extensive experience as advocates before the European Court of Human Rights and in other courts overseas. They have appeared in leading human rights cases in diverse fields including civil liberties, commercial law, health, housing, immigration, discrimination, local government, mental health and community care, planning, police, and prisoners.

Local Government

Chambers is able to offer a unique combination of private and public law expertise allowing them to provide local authorities with an across-the-board service at all levels of call. Work includes adult services, compulsory purchase, construction, education, freedom of Information, highways, standards and bias, investigations, licensing, public procurement, planning and environment.

Parliamentary and Public Affairs

Chambers provides drafting and expert advice on proposed legislation at the Westminster Parliament, the devolved institutions, Europe and overseas jurisdictions. Work includes drafting Public Bills and amendments, in the UK Parliament and devolved legislatures, with associated procedural advice, and briefings and policy material, drafting and advice on professional and trade bodies' regulatory rules and guidance and appearing before select committees and inquiries into Hybrid and Private Bills, Special Parliamentary Procedure Orders and Transport and Works Act Orders. Experience in Chambers includes one former member of the Parliamentary Counsel's Office and advisors to Parliamentarians.



Thirty Nine Essex Street What's in a number?

Commercial, Construction and Engineering Law

Thirty Nine Essex Street has a skilled team with substantial experience in this field.

Construction and Engineering

In the construction sphere, our members have been involved in cases involving many high profile structures both at home and abroad. Acting for employers, professionals (architects, engineers and surveyors), contractors and sub-contractors, their experience includes all forms of ADR. Members act in mediations for clients as well as providing experienced accredited mediators. We can put together a team quickly to act in an adjudication.

Insurance and Reinsurance

Work includes policy and coverage disputes, insurance fraud and regulatory work in the insurance field. Moreover, we have experience of reinsurance cases involving domestic and international arbitrations and proceedings, including offshore litigation in Bermuda and the Cayman Islands. Members have also acted in insurance professional negligence actions, such as the Lloyd's litigation.

Chambers has many years' experience of insurance disputes associated with damage by fire and other perils, including issues of arson/fraud (where the insured is alleged to be implicated), coverage, warranties and conditions, non-disclosure and misrepresentation, insurable interests, co-insurance and the nature and extent of right of indemnity etc., and allocation of risk/liability between parties to commercial and construction contracts.

Members also have wide experience of the problems which can arise in relation to liability policies, including EL, PL and motor/fleet covers, as well as professional indemnity policies.

Commercial

In the commercial sphere we are highly experienced in dealing with cases involving bonds, guarantees and letters of credit; commodities and derivatives; mergers and acquisitions; financial services; funding disputes; banking; insolvency; professional indemnity work for auditors and accountants.

Employment

Members are regularly instructed by private and public clients in the full range of employment law matters, including unfair and wrongful dismissal; sex, race and disability discrimination and maternity rights; whistleblowing, breach of fiduciary duty, privacy and data protection, confidentiality and restrictive covenants; industrial action and disputes between unions and their members.

Our employment work dovetails regularly with our expertise in public and commercial law. Members of Chambers have been closely involved in human rights auditing and we are often asked to advise on human rights issues and on discrimination cases with a public law dimension.

Media, Entertainment and Sports Law

Our members have wide ranging experience of media and sports law work. Media work involves contractual disputes, intellectual property disputes, breach of confidence actions and regulatory issues. Sports law work includes contractual disputes, insurance disputes, public and employer's liability actions, employment disputes and regulatory/disciplinary issues.



Thirty Nine Essex Street What's in a number?

Common Law

Personal Injury and Clinical Negligence

Thirty Nine Essex Street provides expert advocacy and advice in all aspects of personal injury and healthcare. It is consistently rated by the main professional directories as one of the leading common law chambers, being pre-eminent in personal injury and clinical negligence work. This expertise is complemented by expertise in all aspects of insurance, commercial, construction, regulatory and public law (including community care, mental health and capacity, and human rights). Chambers is therefore able to offer an almost unrivalled service across these practice areas. In particular we provide a "one stop" service including inquests, inquiries, criminal and regulatory proceedings, advice on insurance issues, and the substantive personal injury and clinical negligence claim.

The team is able to offer an outstanding service to a wide range of clients. These clients range from injured or aggrieved private Claimants and Defendants, small to major multi-national companies, insurers and defence organisations, the NHSLA and other government bodies. Our relationship with and understanding of the needs of these clients enables us to provide a quick, efficient and truly specialised service from individual barristers or teams of barristers.

In recent years Thirty Nine Essex Street has responded to the trend towards mediation and other ADR. A significant proportion of our work involves attending mediations and other types of settlement meetings to represent the interests of our clients. Thirty Nine Essex Street is also able to provide experienced mediators and a bespoke mediation service.

Professional Liability

Recent experience and the general economic downturn confirm an increase in the willingness of clients to investigate and initiate claims against their professional advisors. Commercial and individual clients are more ready to challenge professional advice. We have seen these developments result in a marked increase in instructions in professional liability work from both claimants and defendants.

The professional liability team has experience in litigation, arbitration and mediation work in this jurisdiction and various international jurisdictions. Members of our team have chartered arbitrator status and are regularly appointed via institutional panels or ad hoc as arbitrators and mediators in professional liability disputes and cases involving related professional indemnity, regulatory and disciplinary issues.

Related Common Law Fields

Product Liability: Instructions are taken in all aspects of product liability whether resulting in material damage or personal injury. A number of members of Chambers have experience in group litigation, particularly in respect of pharmaceutical products.

Health and Safety: Members are able to take on all aspects of health and safety work including Crown Court trials and public inquiries. Members have been involved in some of the largest health and safety inquiries and public prosecutions in recent years.

Toxic Torts: Our members are highly experienced in claims for damages and other remedies in respect of air, atmospheric, and land pollution and noise pollution, arising out of industrial and other processes, accidents and other causes.

“outstanding technical knowledge and recall of case law”

Chambers & Partners 2009

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Costs

Thirty Nine Essex Street has an outstanding costs law team which enjoys a formidable reputation at every level of seniority. The team undertakes all aspects of costs work. Members appear in every Court and Tribunal where costs issues arise. Our barristers have considerable experience in appellate work, with frequent appearances in Court of Appeal and High Court appeals, as well as the House of Lords and the Privy Council. Members are almost invariably to be found in the most important costs cases. We also conduct all manner of detailed assessments, involving arguments arising from high value commercial litigation and technical challenges to costs recovery, as well as more everyday disputes.

Chambers also has a wealth of experience in advisory and drafting work. In an area of law beset with technical rules and disciplinary risks, getting documents right is crucial. The team has considerable expertise in advising on potential funding arrangements and in drafting costs documentation, including CFAs, CCFAs, and legal expenses insurance policies.

Our clients include all those involved with legal costs. Our instructing solicitors range from large City firms to sole practitioners. We are retained by major insurers, government departments, claims management companies, the Legal Services Commission, trade unions and multi-nationals, as well as individuals from the wealthy to those on income support. We have been involved in costs issues worth anything from a few thousand pounds to £73 million.

A particular feature of Thirty Nine Essex Street's costs team is that, whilst all its members are specialists in the principles of costs, many are also well known for their work elsewhere, in areas of law ranging from commercial and insurance litigation to judicial review; personal injury and clinical negligence to construction and arbitration. This enables us to offer a rounded and multi-disciplinary approach.

“this set offers barristers of varying experience and can always be relied upon to deliver the goods.”

Chambers & Partners 2008

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Environmental and Planning Law

Environmental and planning law are increasingly recognised as an indivisible area. Chambers has one of the Bar's leading teams in this field including some of the Bar's leading specialists. Their work has included some of the most innovative advice and litigation in environmental and planning work.

Environmental Law

Environmental law is a newer and broader area of law in which sit planning and older environmental areas. Environmental Law spans a formidably broad range of subjects, from contaminated land to nature conservation.

Members of the team have experience in all the relevant areas required to provide a comprehensive service. Counsel are available at all levels for inquiry, court and advisory work. A particular strength lies in the established reputation of Thirty Nine Essex Street in public and tort law, which are the basic cornerstones of environmental law, coupled with its commercial expertise. Members of the team also have highly relevant background experience in fields such as EU law, criminal law, insurance and mediation. Clients include government departments and agencies, local authorities, major companies and utilities, trade associations, interest groups and private individuals. Members of the team are used to working in all parts of the UK and overseas with solicitors and by licensed access with consultants. They have authored numerous textbooks and articles in the relevant fields.

Planning Law

Planning law has long been a significant area of work, in terms of public inquiries, judicial review and statutory appeals, criminal prosecutions and injunctions. It has however become much more complex, both as a result of the growing importance and impact of European Union law and human rights and because of its integration with environmental law. The team combines its traditional strengths in planning work with its expertise in judicial review, human rights and EU law. For example, they have acted in numerous environmental impact assessment cases.



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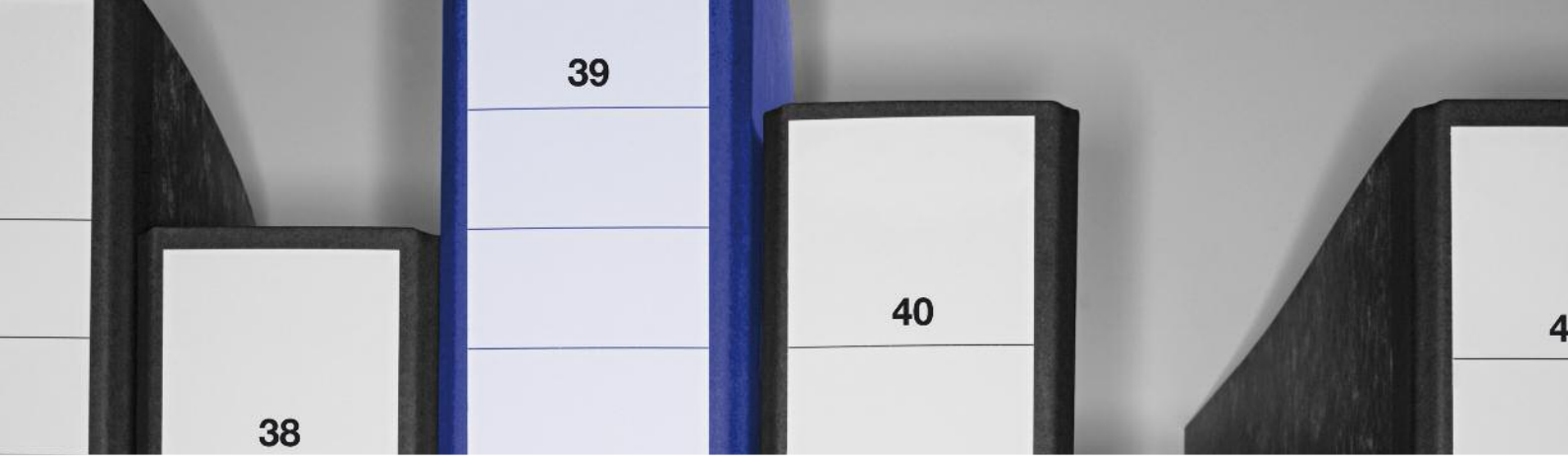
Regulatory and Disciplinary Law

Chambers & Partners 2008 places Thirty Nine Essex Street in the first rank of Professional Discipline Chambers, stating:

“This set has built its professional discipline practice from the foundations of a well-established public law practice. Known to take on mainstream disciplinary cases, the set often handles challenges from the BMA, MDU and GDC, and also specialises in social care work. Clients have forged good relations with clerks at the set, and comment that “this set offers barristers of varying experience and can always be relied upon to deliver the goods.”

Recent decades have seen a remorseless increase in the regulation of professions and businesses. With regulation comes discipline, and the need to uphold high professional standards and hence public confidence in the regulated organisation. The traditional deference to the trusted professional who knows best has disappeared. The patient, the client and the customer have become empowered. Lay involvement has become an important part of the disciplinary process across the regulated sector, and this is set to increase.

Old systems of self-regulation have disappeared as a result of well-publicised scandals, and increased public awareness. In this changed environment, both regulators and the regulated require sound and user-friendly legal advice and advocacy. Thirty Nine Essex Street can offer this across the entire spectrum: indeed, it is now probably the most broadly-based major set of Chambers in London. Members of Chambers can provide specialist advice in every principal area of regulatory law.



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Provision of Services

Instructing Counsel

Our clerks are knowledgeable and frank in their appraisal of barristers' suitability and availability for a particular matter. Their manner, skills and attention to detail ensure that clients are dealt with in a friendly, efficient and effective way.

Fees

The clerks are sensitive to market forces, and maintain an open and flexible approach to fee structures. They endeavour to make realistic estimates as to the cost and time of any work required, based on their many years of experience.

Paperwork

Chambers aims to turn straightforward work around within agreed deadlines. Should any member of Chambers be unable to meet that timetable, the client will be notified in good time in advance and, if necessary and agreed, the work will be allocated to another member so as to ensure that the client's deadline is met.

Delivery of Services

Members of Chambers are available to provide advice and assistance through formal written opinions, in conference, by fax and e-mail, or by telephone, as well as by video or internet conference. For the convenience of clients members can attend conferences at clients' offices, both inside and outside London.

Continuing Education

Thirty Nine Essex Street is accredited by the Law Society as a course provider. Members of Chambers, at every level, frequently give seminars and hold workshops in Chambers or at clients' offices as part of their continuing education programme.

Pro Bono

The commitment to pro bono work runs throughout Chambers. From most senior to most junior, barristers give up considerable amounts of time to work without recompense.

Facilities and Disabled Access

Chambers offers first class accommodation for conferences, mediations and settlement meetings, with full disabled access.

“Straightforward individuals who are immensely popular with the client”

Chambers & Partners 2009

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Thirty Nine Essex Street LLP is a governance and holding entity and a limited liability partnership registered in England and Wales (registered number 0C360005) with its registered office at 39 Essex Street, London WC2R 3AT.

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We are committed to upholding the Bar Councils Equal Opportunities Policy, with regard to service provision and apply its principles rigorously to the recruitment of members, pupils and staff.