

3PB Barrister Profile



Graeme Sampson

Call 1981

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Academic Qualifications

BA (Hons) Law

Since his call in 1981 Graeme Sampson has gained a wide experience in civil law. Down to earth and practical he has a clear understanding of client needs and the economic realities of litigation. He is experienced in ADR having appeared in a number of arbitrations and mediations ranging from small personal matters to multi-million disputes. His practice now focuses on three key areas.

Professional Negligence

Graeme has acted from the beginning of his career in professional negligence actions. Developing a practice which began with an emphasis upon medical negligence he now acts in respect of a range of professional activities including medical professional, solicitors, accountants and a particular focus upon construction professionals. He has acted for the professionals themselves, their clients; both private and corporate; and insurers.

Graeme is a member of the Professional Negligence Bar Association (PNBA).

Construction

Coming to construction through his professional negligence practice, Graeme is widely experienced in all types of construction and related disputes, including arbitration, adjudication and mediation. His clients have ranged from internationally known corporations involved in multi-million pound actions through to smaller domestic house building issues.

Planning

A discreet and much enjoyed area of practice Graeme has advised in and appeared in numerous case ranging from multi-million pound developments to small village issues (the cricket nets!).

Memberships

Graeme is a member of TECBAR, the PNBA (Professional Negligence Bar Association), The Society of Construction law and Standing Conference of

Mediation Advocates.

Mediation

Graeme is a qualified and experienced mediator, please see his Mediation Profile on this website. Graeme is also Head of Chambers ADR/Mediation Group.

Public Access

Graeme is qualified to undertake public access work and so can represent individuals and companies without the employment of a solicitor. If you are interested in instructing him on this basis please contact the clerks.

Some notable recent cases

Bass Taverns Ltd v Carford Catering Ltd [2002] EWCA Civ. Court of Appeal

- abuse of process, striking out.

Briggs & Forrester Electrical Ltd v Southfield School for Girls & Anor [2007] 3403 EWHC (TCC)

Multimillion pound claim arising from asbestos contamination of a school. Representing architects in 6 week TCC trial. Architect found to have no liability and recovered indemnity costs.

British Sugar v Cegelec Ltd [2004] EWCA Civ 1450. Court of Appeal

Multimillion pound claim arising from power system failure. Court of Appeal - court's power to control evidence as to liability

Bryen & Langley Ltd v Boston [2005] EWCA Civ 973. Court of Appeal

- formation of contract, does adjudication under JCT offend against the Consumer Contract Regulations 1999. First instance reported at [2005] BLR 28, [2004] EWHC 2450(TCC)

Ennstone Building Products Ltd v Stanger Ltd No. 1 [2002] BLR 82. TCC

- forum conveniens, contract created by correspondence.

Ennstone Building Products Ltd v Stanger Ltd No. 2 [2002] 1 WLR 3059. Court of Appeal

- proper law of contract.

Fenice Investments Inc v Jerram Falkus Construction Limited [2011] Â EWHC 1678 (TCC)

whether adjudicators decision as to fees forms part of his award.

Full Metal Jacket Ltd v Gowlain Building Group Ltd [2005] All ER (D) 147 (Dec)

Building contract - Construction - Express term - Specifications of roof - Defendant providing drawing of roof to claimant prior to obtaining quote - Claimant not building roof in accordance with drawing - Whether contract requiring claimant to build roof in accordance with contract.

Graham v Entec Ltd [2003] 4 All ER 1345, 92 Con LR 35. Court of Appeal

- extent of loss adjusters' "knowledge", Limitation Act 1980.

Hart Investments Ltd v Terence Fidler (t/a Terence Fidler Partnership) [2007] Adj LR 03/30

liability of engineer for recognised defects out with his contractual duties.

Jensen v Faux [2011] EWCA Civ 423

applicability of Defective Premises Act 1972 to refurbished and/or enlarged residential property.

Jerram Falkus Ltd v Fenice Investments Inc (No.4) [2011] EWHC 1935 (TCC)

conclusivity under JCT Design and Build 2005.

Mason v Richard Freeman & Co [2010] All ER (D) 241 (Mar), [2010] EWCA Civ 287

Court of Appeal claim against solicitors following negligent/dishonest conveyancing transaction.

R v Bentley [1991] Crim LR 620. Court of Appeal

- proper direction as to identification in recognition cases.

R v Ipswich Crown Court, Ex. p. Eris (1989) *The Times*, February 23. Div Ct

- powers of judge to control conduct in Crown Court.

Ramwade Ltd v W J Emson & Co. Ltd [1987] RTR 72. Court of Appeal

- scope of damages for commercial vehicle hire.

Six Continents Retail Ltd v Carford Catering Ltd [2003] EWCA Civ 1790. Court of Appeal

- break in chain of causation where negligence alleged.

Titanium Polyurethane Seal Company v New Forest District Council [2008] All ER (D) 64 (Aug)

claim arising from alleged defective construction of sports hall floors.

Warner v Penningtons (a firm) and others [2010] All ER (D) 106 (Jul) [2010] EWHC 1753 (QB)

representing solicitors in seven figure professional negligence claim arising from settlement of personal injury action. Issue as to liability of expert witness

Professional Qualifications and Appointments

- Accredited Mediator

Professional Bodies

- Professional Negligence Bar Association (PNBA)
- Technology & Construction Bar Association (TECBAR)