

## Indemnity costs: *When and what will that mean?*

Wednesday, 24 June

12:00 - 13:00

It is important to understand when a Claimant may be entitled to seek, or be at risk of, indemnity costs – also what that will mean, particularly where costs are fixed, budgeted or capped.

The Court of Appeal has recently given guidance in *Lejonvarn –v- Burgess [2020] EWCA Civ 114* which looks at a range of related issues which this webinar explore including:

- Difference between assessed costs and fixed costs (reminder of when fixed costs will and will not apply)
- The difference, on assessment, between the standard basis and the indemnity basis
- When will the Court be likely to award indemnity costs, for either party, under Part 44
- When is the Claimant entitled to indemnity costs under Part 36
- Is the Defendant entitled to indemnity costs under Part 36
- Exceptionality and indemnity costs with fixed costs
- Indemnity costs with budgeted and capped costs



John McQuater qualified as a solicitor in 1983 and is a partner at Atherton Godfrey, Doncaster, where he is head of litigation with overall responsibility for the personal injury, clinical negligence, employment and dispute resolution teams.

He is a member of the Law Society Clinical Negligence Accreditation Scheme and of the Law Society Personal Injury Accreditation Scheme and also an assessor for that scheme. He is a member of the APIL Clinical Negligence Specialist Accreditation Scheme and an assessor for that scheme.

He is a member of the Association of Personal Injury Lawyers, with accredited status as a senior fellow.

He was elected to the APIL executive committee in 2005, was APIL president from 2009 to 2010, then re-elected to the executive committee in 2012 before being elected as APIL secretary in 2016. He is also a member of the Forum of Complex Injury Solicitors, the Professional Negligence Lawyers Association, the Law Management Section of the Law Society, the South Yorkshire Medico-Legal Society and the Solicitors' Association of Higher Court Advocates.

He provides professional training on a range of subjects including procedure, practice management, occupiers' liability, contributory negligence, clinical negligence and evidence as well as regular updates on developments in the law. He has chaired sessions, and spoken, at many conferences including APIL annual conferences, APIL clinical negligence conferences, the APIL catastrophic injuries conference and APIL business conferences.

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