

Managing professional negligence disputes

Forensic and
Investigation Services

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Mazars LLP is the UK firm of Mazars, an international advisory and accountancy group, and is a limited liability partnership registered in England with registered number OC308299. A list of partners' names is available for inspection at the firm's registered office, Tower Bridge House, St Katharine's Way, London E1W 1DD.



Professionals are coming under the spotlight as trading conditions deteriorate and shortcomings are exposed. Increasingly questions are raised as to whether auditors should have spotted a fraud, treated a company as a going concern or taken a different approach in valuing assets. Solicitors, reporting accountants, actuaries and quantity surveyors are similarly the focus of searching questions.

Our expertise

Mazars advises on both liability and quantum in relation to professional negligence disputes. We are ideally placed to opine on the best practice and hence on liability issues where the professional judgement or the actions of an auditor or accountant is in issue. Common scenarios for disputes in the current economic climate include allegations that

- auditors failed to identify a material fraud
- auditors failed to make appropriate enquiries as to whether a company was a going concern
- auditors failed to recognise that assets were inappropriately valued
- accountants gave negligent advice in relation to a corporate transaction
- accountants ascribed an inappropriate value to shares or other assets
- royalty audits were deficient
- actuaries acted negligently in relation to valuations
- solicitors acted negligently in corporate transactions

We have acted on many professional negligence matters including cases relating to accountants, actuaries, auditors, tax advisors, financial advisors and solicitors, whether in relation to corporate transactions, audits, valuations or other advice.

Our forensic approach

Our Forensic and Investigation Services team has extensive case experience and a proven track record in providing dispute resolution services relating to either the liability or the quantum aspects of professional negligence disputes. We provide authoritative and impartial advice whether appointed as expert witness or expert advisor. Our partner-led teams can call upon the resources of our global partnership. No two professional negligence assignments are the same. We provide a practical and tailored approach to each assignment. Communication is essential so we keep you informed of our progress. The hands on, innovative and proactive approach of our partners ensures we thoroughly investigate and analyse your case to meet your needs. We present our findings as a written report or statement and, if required, in the witness box.

How we can help

At Mazars we have industry recognised expertise in providing dispute resolution services to professional negligence matters. Our experts are regularly appointed to opine on and to provide evidence on accounting and auditing procedures and practices as well as to assess the quantum of loss in professional negligence disputes.

Our experts

Where an expert is required to opine on accounting and auditing matters we frequently draw from one of our many sector specific experts who all have considerable experience of expert witness assignments. Sector experts are supported by the Forensic and Investigation Services team who are immersed in expert witness work and have intimate knowledge of civil procedures and English court proceedings as well as arbitrations, mediations and other dispute resolution forums.

Quantum of loss assignments are performed by the Forensic and Investigation Services team.



**Nigel Grummitt – Partner, London
Forensic and Investigation Services**

Nigel has considerable experience of acting on professional negligence disputes. Nigel also has an active audit portfolio and is ideally placed to advise on auditor negligence liability issues as well as on quantum issues. Nigel has acted as expert witness and advisor on professional negligence disputes across a wide range of sectors.

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**Mark Taylor – Partner, London
Forensic and Investigation Services**

Mark has acted as expert accountant in many professional negligence cases including in the context of solicitor and accountant negligence in corporate transactions. Mark has also been engaged as expert accountant to assess the quantum of loss arising from the negligence of diverse professionals from a patent attorney to a recruitment consultant.

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**Stephen Lewis – Partner, Birmingham
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Stephen has acted as expert accountant and advisor in professional negligence matters on behalf of banks and other parties. His extensive experience includes accountants negligence in respect of corporate transactions.

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**Graham Platts – Partner, The South
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Graham has many years of experience acting as an expert accounting witness in accountants' professional negligence cases. He has acted as advisor and party appointed expert for both claimants and defendants and also as single joint expert on numerous occasions.

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