

# Professionals make mistakes: how to reduce the risk of Professional Indemnity claims

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Commonwealth Law Conference, Goa

8 March 2023

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# Happy (crash) landings



# Crash test... dummies

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# It would never happen to me...





Digging yourself  
into a hole....



***Is a lot easier than  
getting out of one?***

# Ethics and integrity



# Take a parachute, just in case...



# Communication is key

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# A reputation takes years to earn and a moment (of madness) to lose forever

- Making mistakes does not make you a bad lawyer;
- Failing to admit mistakes makes you a bad lawyer (you are never going to learn)
- Covering up your mistakes makes you a dishonest lawyer (and probably an ex-lawyer)
- Mistakes in litigation, if identified early and dealt with promptly, can often be rectified or at the very least the consequences minimised.
- Far better to face up to a mistake than lose your means of earning a living.
- Source: Gordon Exall's blog on civil litigation on this topic

# PLAN – ACT – LEARN

- Maintain indemnity insurance with an ample limit of indemnity so you can sleep at night.
- Fail to plan and you plan to fail. We measure success but we should also risk assess/ plan
- Have systems in place to spot when things have gone or are going wrong.
- Don't prevaricate. Prompt action is key, but not in a state of panic. Take senior advice and think several steps ahead before acting.
- Should the matter be passed to a colleague (or another firm if the client wants)? Don't make it half baked or repeat the same (or different) mistakes: "Take Two" must be perfect!
- A prompt apology to the client coupled with an action plan can avoid a complaint/claim. Speak to your insurers.
- Analyse and talk about what went wrong. Not just for catharsis but to avoid repetition: look at workloads, supervision/ support, wellbeing, know-how/ training, risk assessment/systems.

# Thank you!

Any questions?

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