

**FOREGATE**  **CHAMBERS**  
**(Barrister Clerking)**

## **NEIL TREHARNE**

Neil was called to the Bar in **2001** and is a Member of Lincoln's Inn



### ***Specialisations :***

- Chancery Drafting
- Commercial Disputes
- Employment Law
- Immigration
- Judicial Review
- Mortgage repossessions and possession claims
- Personal Injury
- Professional negligence
- Regulatory (inc Fraud), Insolvency and Disciplinary
- RTA and RTO
- TLATA

Although this Profile concentrates on Neil's civil practice, he is also a very experienced criminal barrister.

### ***Profile :***

Neil was called to the Bar following a career in the oil industry with Shell.

Neil has a diverse and busy practice that encompasses most facets of commercial and traditional common law. Although initially his practice revolved around employment and personal injury, now many of Neil's cases involve land, property and negligence issues. He has an extensive amount of experience in giving practical advice in disputes that require careful law and factual analysis. His pragmatic, friendly, straight talking advice is always appreciated regardless of the client's status.

Neil is regularly instructed by mortgage lenders in respect of difficult repossession issues and in related professional negligence disputes acting for and against solicitors and surveyors; he also regularly appears on behalf of major commercial entities and lending institutions in claims arising out of mortgages. This has included major fraud trials involving complex legal and factual scenarios, requiring the involvement of the third party lenders limited liability. His academic background combines well with his tenacious advocacy style and Neil's practice continues to flourish. He undertakes both advocacy and advisory work. He accepts instructions in most aspects of commercial and contractual disputes, landlord and tenant claims (housing), professional negligence, real property, mortgages, insolvency and fraud. He regularly appears in the County court and high court having experience of prolonged multi track trials, judicial review, tribunals and assisting in mediation.

Neil appears regularly in Employment Tribunals, the Employment Appeal Tribunal and the High Court. He has also appeared in the Court of Appeal on several occasions.

Neil is accredited under the **Public Access Scheme** for direct instructions.

To instruct Mr Treharne please email: [clerk@foregatechambers.co.uk](mailto:clerk@foregatechambers.co.uk) or telephone Julia Vaughan on 07760 766152

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***Notable recent cases:***

RBS v Phillips. (2010) County Court. Whether initially fraudulent loan agreement was lawful having third party completion. Involving breach of trust, secondary disclosure and Professional negligence issues.

BAS v Schofield. (2011) County Court. Commercial contract dispute involving procedural irregularities on commercial lease agreements with possession proceedings stayed.

Davies v C (a firm). (2011) Professional negligence claim involving inaccurate and unqualified advice. leading to insolvency and repossession proceedings. Whether third party lenders were aware of the unqualified advice.

R v West Mercia Constabulary (2010). Professional sportsman seriously injured during police action. Losses of large family business, personal repossession proceedings. Acted through out the claim for the PI, business solvency and repossession proceedings.