

introducing  
**plexus**  
LAW



# IT Consultants – the profession of the 21st Century?

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# What I'll cover

- Growth in claims
- Unique demands of the IT sector
- The legal stuff –
  - Duties
  - Liabilities faced by IT Consultants
  - Standards of skill and care
  - Breach
  - The Co-op case
- Some conclusions

# Growth in claims

- Huge growth in activity
- Complex industry profile
- Multiple parties to a contract
- Increasingly complex solutions
- Consequences if it all goes wrong

# Unique demands

- Is it a Profession?
- Governance and regulation
- Insurance requirements
- Service and product solutions
- Special features

# Issues of Liability

- The importance of the contract
- Implied terms
- Exclusion clauses
- Liability in Tort

# Standards of skill and care

- What is expected
- *Stephenson Blake v Streets Heaver Ltd*
- Accepted practices
- Expert evidence

# Breaches of Duty

- New IT projects
- Post-installation retainers
- Expert evidence



# CWS V ICL

- The background
- The breach
- The outcome
- The implications
- The story goes on...

# Conclusions

- Know your client
- Claims can only increase
- IT must regularise and professionalise
- The future

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