

Expert Witness and Advisory Services

Experience and Expertise

At Punter Southall, we possess the specialist expertise and consulting experience in actuarial, investment and administrative matters to support your legal team in delivering the best possible outcomes for your client.

We are practiced in all areas of occupational defined benefit pension scheme provision and management, allowing us to take instruction on a wide range of cases.

Our dedicated team work closely with you throughout the process, which might include:

- a detailed forensic analysis of relevant documentation;
- the benchmarking of advice against relevant regulations, guidance and industry standards;
- a quantification of loss;
- the preparation of a formal expert opinion;
- analysis and comment on the opposing expert's opinion;
- meeting the opposing expert and preparing a joint statement;
- providing input to legal arguments and the cross-examination of the opposing expert; and
- giving evidence in court.

Importantly, we seek to understand the claim and to opine on its merits at the earliest opportunity, which can be vital in steering your case to a successful resolution.

We have worked with many of the best pensions KCs and leading law firms in the industry.

Past instructions have included disputes that have involved:

- a failure to equalize;
- errors with benefit amendments and scheme closures;
- the interpretation of a specific provision in a scheme's rules (e.g. the contribution rule or the pension increase provision);
- maladministration;
- the surrender of with-profits deferred annuity contracts;
- fiduciary management;
- investment in swaps;
- scheme wind-up;
- corporate transactions; and
- regulatory intervention.

Our Team

Our team is headed by Jonathan Punter, CEO of the Punter Southall Group and a Fellow of the Institute of Actuaries. Jonathan is highly regarded in the pensions industry and has a credible track record of giving expert evidence in court. He can draw upon more than 35 years' experience in the actuarial profession, where he has built up a wealth of knowledge and practical experience during a long and varied career.

As well as having been Scheme Actuary to several defined benefit pension schemes for 20+ years, Jonathan has been (and is) regulated to provide investment advice by the Financial Conduct Authority.

He is supported by a team of four practised actuaries, with a collective 80 years in the industry and a vast array of expert witness experience, covering more than 100 disputes. The team can also draw upon the expertise of other professionals from across the Group and on the capabilities of our highly specialist Analytics business.

Past successes

"The actuarial advice provided to the trustees by Scottish Widows was supported by an expert witness, Jonathan Punter of Punter Southall. Lord Hodge could not find any fault in Mr Punter's assessment that the actuarial advice was within acceptable actuarial practice and noted Mr Punter as giving a convincing defence of the actuarial advice given to the trustees."

Scottish Widows news release following the decision in Robert Blower & Ors v Eric Edwards and Scottish widows plc [2010] CSOH 34

"Mr Whitney and TMP had the benefit of actuaries for them. Fortunately for me there was a large measure of agreement between them. Furthermore when they gave evidence it was perfectly plain that they were each highly expert and attempting to assist the court. Indeed it heartening to see how often they agreed with each other on points requiring their actuarial expertise."

Extract from the judgement of Judge Behrens in Robert Whitney v Monster Worldwide Ltd [2010] EWCA Civ 1312

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