

News

LUCY HAWLEY AND FRANCESCO ALBANESE AUTHOR ARTICLE IN 'CONSTRUCTION NEWS' ON BETTERMENT CLAIMS

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BCLP Associate Lucy Hawley and Trainee Solicitor Francesco Albanese [authored an article published July 31 in *Construction News*](#) on how betterment claims work in practice. “Contractual damages aim to put the claimant in the same position as if the contract had been performed. Betterment is where the claimant has been put in a ‘better’ position than they would have been had the contract been performed. The defendant can invoke the defence of betterment to resist payment of overcompensation due to betterment,” they wrote. “Betterment claims are notoriously tricky to navigate due to the complexities involved in quantifying the specific benefits accrued by the building owner, although the courts have developed frameworks to help the assessment of such claims.”

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