

Clare Dixon

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A formidable opponent because of her robust style in written and oral advocacy and in negotiations.

- Legal 500, 2020

Winner of the ‘Professional Negligence Junior of the Year‘ (2019) award by Chambers & Partners UK.

Clare Dixon practises in professional liability, insurance, disciplinary and commercial litigation. She believes in taking a tough but commercial approach to litigation and relishes advocacy in all its forms.

She is recommended as a Leading Junior in the legal directories for Professional Negligence and Insurance:

“A formidable opponent because of her robust style in written and oral advocacy and in negotiations.” (*Legal 500, 2020*)

"She is extremely good." (*Chambers & Partners, 2020*)

“She is firm, incisive and has the ear of the court.” (*Legal 500, 2020*)

"A formidable junior who is relentlessly good at what she does." "She comes up with an innovative approach to get a fantastic result, and is very user-friendly." "She is very good at making herself available, is very responsive and understands the pressures that solicitors might be under." (*Chambers & Partners, 2020*)

"She has good judgement and is technically excellent. A true team player." "The quality of her written work is very high and she is a delight to deal with." "Very bright and client-friendly." "She is very down-to-earth, a great communicator, and inspires confidence in the client." "She provides a first-class service - thoroughly recommended." (*Chambers & Partners, 2019*)

“She mixes great commercial acumen with an excellent grasp of black letter law.” “Responsive, bright and provides excellent advice.” (*Legal 500, 2019*)

"Technically outstanding", "very impressive on her feet" and "an excellent strategist" (*Who's Who Legal, 2019*)

“Reliable, thorough and good from the start of a claim through to trial. She is down to earth and straightforward, as well as clever and commercial. One of the best professional negligence juniors. Extremely trustworthy and superfast” (*Chambers & Partners, 2018*)

"A brilliant advocate" (*Who's Who Legal, 2018*)



“Hardworking, timely in her responses and strong in her analysis” and “She provides robust and commercial advice, and is very tenacious” (*Legal 500, 2017*)

“She’s extremely intelligent, and gives her advice in a very understandable way” and “She is fantastic to work with and quickly grasps the detail in large cases” (*Chambers & Partners, 2017*)

She “provides probably the best-drafted written advice of any junior at the Bar” and “is admired by sources who value her “high intellect”” (*Who’s Who Legal, 2017*)

“A no-nonsense terrier in court, who will tenaciously fight your corner” and “Calm and collected, hardworking, and a safe pair of hands” (*Legal 500, 2016*)

“An impressive junior with over a decade of experience in commercial litigation and professional negligence. She takes on work that involves a range of professionals including solicitors, surveyors and insurance brokers”. She is “A markedly insightful, meticulous and accomplished professional negligence advocate. She is approachable, driven and pragmatic – definitely someone to have on your team”. “She quickly grasps the important issues and provides advice which always considers the client’s commercial considerations”. (*Chambers & Partners, 2016*)

Privacy Policy

Click here for a [Privacy Policy](#) for Clare Dixon.

Other information

Clare supports FreeBar, a forum focused on LGBT+ people and their allies working at and for the Bar.

Areas of Expertise

Construction & Engineering

Clare has experience of a broad range of construction disputes: both pure construction matters and construction professional liability. Clare regularly appears in the Technology and Construction Court and has experience of arbitrations and adjudications. She enjoys getting to grips with the technical information and expert evidence often involved in such dispute.

Examples of her cases include:

- Acting for a sub-contractor in relation to a dispute arising out of, amongst other things, the fire rating of cladding on a Birmingham office building.
- Appearing (led by David Turner QC) for the supplier of aggregate used for the construction of motorway concrete safety barriers in *Costain Limited v Tarmac Holdings Limited*. The case raised issues as to the extent of the remedial works necessary to address contamination of the aggregate, the incorporation and application of the ADR provisions contained within Clause 93 of the NEC 3 Supply Short Contract, the effect of the duty of mutual trust and co-operation imposed by Clause 10.1 of the NEC 3 suite of contracts and whether the parties’ arbitration agreement was “null and void, inoperative or incapable of being performed” within the meaning of s.9(4) of the Arbitration Act 1996.
- Clare was instructed for a demolition sub-contractor in a claim brought by the main contractor arising out of works done during an office block refurbishment in Birmingham.
- Acting for a glazing sub-contractor in a claim brought by the main contractor arising out of the installation of windows in an atrium.
- Clare was instructed on behalf of the architect in a dispute concerning the major refurbishment of a restaurant.
- Clare was instructed for a project manager in a claim concerning building works at a sea front apartment block.
- Clare was instructed by Kennedys LLP in a multi-party construction dispute arising out of the insulation of chilled water pipework at Linklaters LLP’s City office. Two summary judgment applications were made. The first, *Linklaters Business Services v Sir Robert McAlpine* [2010] EWHC 1145, 130 Con LR 111 considered the duty of care owed by a sub-sub-

contractor whose carelessness in installing insulation in a building had caused damage to other areas of that building. The other, *Southern Insulation v How Engineering* [2010] EWHC 1878 considered whether a sub-sub-contractor could owe a sub-contractor a duty of care such that the sub-contractor could recover sums which it was held liable to pay the main contractor.

Cases

- Costain Limited v Tarmac Holdings Limited
- Linklaters Business Services Limited v Sir Alfred McAlpine
- Southern Insulation (Medway) Limited v How Engineering Services Limited
- Triuva Kapitalverwaltungsgesellschaft v Galliford Try Construction Ltd [2017] EWHC 275

Qualifications & Memberships

Prior to being called to the Bar, Clare read law at St Anne's College, Oxford University, where she was President of the Oxford Union.

Clare is on the executive committee of the Professional Negligence Bar Association.

Publications

The new SRA Standards and Regulations: Greater freedom for solicitors?

21 October 2019

In this article, Helen Evans and Clare Dixon of 4 New Square review whether the new principles, codes of conduct and disciplinary procedure rules wholeheartedly reflect a relaxation of the SRA's grip, or whether competing forces are apparent. They also consider whether one of the unintended consequences of some of the liberalisation is to introduce a two-tier regulatory system for solicitors practising within regulated entities (such as firms) and those outside that structure.

Loss of a chance and the Claimant's misconduct

1 April 2019

When a defendant to a lost litigation claim relies upon allegations of fraud made by a third party, does that defendant have to state whether it asserts the truth of those allegations? A recent decision of the High Court on a strike out application has clarified that it does not. Clare Dixon summarises the case concerned in which Helen Evans appeared for the successful defendant.

GDPR and Insurance: who picks up the tab when things go wrong?

8 May 2018

Notwithstanding assurances from the Information Commissioner that they "prefer the carrot to the stick" the fact remains that the ICO will have the power under Article 83(4) the General Data Protection Regulation ("GDPR") to levy fines of up to €10million or 2% of annual global turnover on data controllers. Alison Padfield QC, Clare Dixon and Peter Morcos consider which aspects of GDPR compliance are likely to be insurable and/or insured, focussing in particular upon: (a) the insurability (or otherwise) of fines; (b) new potential liabilities under the GDPR; and (c) the potential pitfalls of assuming that cyber insurance will cover all civil liabilities under GDPR.

Nesbit Law Group LLP v Acasta European Insurance Company Limited [2018] EWCA Civ 268



NEW SQUARE

1 March 2018

In *Nesbit Law Group LLP* the Court of Appeal had to determine the proper construction of an exclusion clause in a series of Fidelity Guarantee Indemnity policies and whether the insurer should be permitted to amend its defence (the application having been made weeks before the hearing of the appeal) to allege various breaches of a loan agreement by insured which breaches were necessary for the insured to be caught by the exclusion clause.

Jackson & Powell on Professional Liability

1 December 2016

Editor

Journal of Professional Negligence: commentary on *Berney v Saul* [2013] EWCA Civ 640

6 March 2014

Insurance Law Monthly: *Standard Life Assurance Ltd v ACE European Group* [2012] EWCA Civ 1713

29 March 2013

Insurance Law Monthly: *Global Process Systems (Court of Appeal)*

25 May 2010