

Pippa Manby

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A rising star, who achieves good results against more experienced opponents.

- Legal 500

Pippa Manby has a broad commercial practice, encompassing general commercial litigation, professional liability, costs, insurance and sports work.

Pippa is recognised by the directories as a Leading Junior in Professional Liability, Sports Law and Costs where she is described as “An extremely personable barrister who puts her clients at ease but turns into a rottweiler in court”, “a rising star, who achieves good results against more experienced opponents”, “bright, responsive, down to earth and user-friendly”, “efficient at understanding the brief – she has no weaknesses”, “a creative thinker with a good analytical mind, she is fast, decisive and insightful”, “technically sound with a very commercial approach to legal issues and solutions” and “confident on her feet with a strong grasp of detail.” More detail regarding Pippa’s experience in particular areas can be found by following the links to the various practice areas.

Before coming to the Bar Pippa read Ancient and Modern History at Worcester College, Oxford where she was a scholar. She then took a year out working in the Gambia for the Institute for Human Rights and Development in Africa. Pippa completed the GDL at City University where she obtained a Distinction and was a finalist in the internal moot competition judged by Lord Hoffmann. Pippa was graded Outstanding on the BVC winning a Buchanan Prize from Lincoln's Inn. Lincoln's Inn has also awarded her Hardwicke, Lord Denning and Levitt Scholarships.

Privacy Policy

Click here for a **Privacy Policy** for Pippa Manby.

Transparency Statement

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Areas of Expertise

Commercial Dispute Resolution

Pippa’s commercial practice is broad and includes cases across a range of disputes in the United Kingdom and internationally. She has experience of cases involving the supply of goods and services, banking and finance, breach of warranty SPA claims, company law, guarantees, insurance and insolvency and bankruptcy. She has experience of obtaining injunctions and freezing injunctions.



Recent examples of her work include:

- Acting (led by Graham Chapman QC) for the successful applicant for a worldwide freezing injunction to secure a judgment debt.
- Acting and advising in various cases relating to claims relating to breaches of warranties in SPAs. Pippa has particular experience of cases involving breaches of financial and/or tax warranties.
- Acting in relation to a substantial claim relating to a failed golf resort development. The claim raises issues of choice of law and forum and liability under guarantees.
- Acting in a claim arising from the termination of a contract for wholesale office supplies.
- Advising and acting in various claims relating to enforcement of guarantees.
- Acting for a major online retailer in relation to proceedings brought against it for alleged breaches of its terms of use.
- Various instructions in the Companies Court relating to share capital reductions.

Costs

“A strong advocate, able to go up alone against leading counsel and pivot rapidly in the face of unexpected developments.” – *Legal 500, 2022*

“Effective communicator – both with client and judge.” – *Legal 500, 2021*

“She has a level of expertise that far exceeds her year of call.” – *Legal 500, 2020*

“Confident on her feet with a strong grasp of detail.” – *Legal 500, 2019*

“A rising star, who achieves good results against more experienced opponents.” – *Legal 500, 2018*

Costs forms a substantial part of Pippa’s practice. Pippa is regularly instructed in both inter-parties and solicitor-client disputes covering the full range of costs matters. She appears regularly in costs matters in the County Courts, Senior Courts Costs Office and High Court and has appeared before the Supreme Court’s costs officers.

Pippa has experience of cases concerning:

- enforceability of CFAs
- reasonableness and recoverability of ATE premiums
- wasted costs applications
- costs budgeting
- costs in the RTA Portal
- default costs certificates
- applications for assessments under section 70 of the Solicitors Act 1974
- appeals against judicial exercise of discretion in respect of costs
- Part 36
- costs orders on discontinuance
- solicitors’ liens
- public funding
- disallowance of costs on the grounds of misconduct / delay
- provisional assessments and challenges to the same
- solicitors’ failure to provide necessary costs information / inadequate retainer letters
- costs orders for and against non-parties
- litigation funding

Recent examples of her work include:

- Acting for the receiving party in a claim for £60m + costs in relation to the claim for c.£25m of expert disbursements following a 14-week Commercial Court trial.
- Appearing as sole counsel against two QCs in a 14-day appeal relating to a solicitor and/or costs draftsmen's misconduct in costs proceedings. The matter was subsequently been appealed to the Court of Appeal where it is the leading case on misconduct in costs proceedings: *Gempri v Bamrah* [2018] EWCA Civ 1367.
- Acting (led by Dan Saoul) in a detailed assessment of a £16m bill of costs arising from a large intellectual property dispute. The assessment was listed for 6 weeks but settled shortly before commencement.
- *Woodburn v Thomas* [2017] EWHC B16 (Costs) – a case in which Master McCloud gave guidance on the relationship of costs budgeting in Precedent H and the subsequent Bill of Costs.
- Regular instructions to act in multi-day substantial detailed assessments often following from well-known reported decisions.

Insurance

Pippa is regularly instructed to provide advice on and to act in insurance matters. She has experience of claims involving:

- material non-disclosure and misrepresentation;
- incorporation and construction of terms;
- notification;
- waiver;
- aggregation;
- allocation of liability between insurers;
- fraudulent claims;
- minimum terms for indemnity insurance for various professional bodies;
- assignment of policies and prohibitions on assignment.

Recent examples of her work include:

- Acting on behalf of an insurer in defending a claim brought under a motor policy. The claim was successfully defended following a two-day trial.
- Advising an insurer in relation to recovery of its outlay against directors of an insured.
- Advising a client in relation to a sickness policy.

International Arbitration

Pippa accepts instructions in disputes proceeding by way of arbitration.

Pippa has been instructed as part of a large team in an LCIA arbitration concerning a £800m contract for the design, development, testing and support of a complex IT system.

She has also been instructed in a commercial dispute relating to media rights in the European Court of Arbitration.

Professional Liability

“Pippa is extremely bright and hard working. She demonstrates a dogged pursuit of detail and is a fearsome opponent.” – *Legal 500, 2022*

“A very diligent and extremely bright barrister. She focuses on the difficult issues and makes them simpler.” “She’s easy to work with, she provides concise advice on complex areas, and she’s someone who can answer questions with a sensible and detailed response.” – *Chambers & Partners, 2022*

“She is hard working, leaves no stone unturned and is excellent technically. One to watch.” – *Legal 500, 2021*



“She is a rising star and is just very straightforward in her advice and advocacy – she makes complex things simple.” – *Chambers & Partners, 2021*

“Bright, responsive, down to earth, and user-friendly.” – *Legal 500, 2020*

“An extremely personable barrister who puts her clients at ease but turns into a rottweiler in court.” “She is very effective in her presentation to the judge and has a professional way of dealing with discussions between parties.” – *Chambers & Partners, 2020*

Professional liability forms a substantial part of Pippa’s practice and she is recognised by both Chambers & Partners and Legal 500 as a leading junior in this area. Pippa has advised and acted for claimants and defendants in professional liability actions involving solicitors, barristers, accountants / auditors, IFAs, surveyors, insurance brokers, construction professionals and other professionals.

During pupillage Pippa assisted with the preparation of the Respondent’s case for the appeal to the Supreme Court in *Jones v Kaney* [2011] UKSC 13 (the case which abolished expert witness immunity from suit).

Accountants, Auditors & Tax Advisers

Pippa has substantial experience of claims for and against accountants, auditors and tax advisers. Recent examples of her work include:

- Acting (led by Ben Hubble QC) in a substantial claim against company accountants for negligent advice in relation to a failed offshore investment.
- Acting (led by Graham Chapman QC) in a large claim relating to negligent tax advice in relation to a round-the-world tax scheme: *Evans v PricewaterhouseCoopers LLP* [2019] EWHC 2350 and [2019] EWHC 1505.
- Acting for a Hong Kong based auditor facing a substantial claim for negligence for failing to detect management fraud.
- Advising a large accountancy firm in relation to limitation issues in respect of historic claims.
- Acting in a claim in relation to negligent advice on the appropriate tax treatment of and legally effective route to effect a share repurchase by the company of a director’s shares.
- Advising and acting for Singaporean auditors in relation to their potential liability in a substantial claim relating to allegations of failing to detect employee fraud in a large Singaporean company.
- Acting for accountants in a case relating to tax treatment of partnership property.
- Acting for accountants in a case relating VAT registration.
- Acting for claimants in claims relating to a SDLT mitigation scheme which was retrospectively outlawed.
- Various claims relating to failed tax mitigation schemes (including film finance schemes).

Construction Professionals

Pippa is experienced at acting for and against construction professionals. Her practice in this area is complemented by her “pure” construction practice. Recent examples of her work include:

- Acting on behalf of a defendant architect in relation to a claim for failing to obtain planning permission and/or advise of the risks of proceeding without planning permission in relation to a high-value residential property development in London.
- Representing a project manager involved in the re-building of a traditional Cornish farmhouse.

Lawyers

Pippa has acted in cases involving solicitors, barristers, costs draftsmen / lawyers and notaries.



She has experience of cases involving conveyancing, lost litigation, privilege, underlying family and criminal proceedings, probate and (wasted) costs. She has advised on the tracing of assets and in various claims brought by the estate and/or beneficiaries. Pippa's experience in professional liability is complemented by her costs practice.

Recent examples of her work include:

- Acting (led by Ben Hubble QC) for the defendant solicitors in a substantial case relating to matrimonial proceedings and security for payments.
- Acting (led by Roger Stewart QC and Graham Chapman QC) on behalf of a hedge fund suing the French office of an international law firm for breaches of duty relating to the enforcement of a Eur 20m loan. The case (*Fortelus Special Situations Master Fund Ltd v Fried Frank Harris Shriver & Jacobson*) was selected as one of the Lawyer's Top 20 cases for 2016.
- Acting (led by Ben Hubble QC and Graham Chapman QC) for defendant solicitors alleged to have been negligent in performing the due diligence and verification of a company seeking public listing on the Alternative Investment Market. The claim for \$65m settled shortly before trial.
- Appearing as sole counsel against two QCs in a 14-day appeal relating to a solicitor and/or costs draftsmen's misconduct in costs proceedings. The matter was subsequently been appealed to the Court of Appeal where it is the leading case on misconduct in costs proceedings: *Gempride v Bamrah* [2018] EWCA Civ 1367.
- Acting (as junior Counsel) in a very high-value claim relating to allegedly negligent advice provided by solicitors and Counsel in the context of Court of Protection proceedings.
- Various successful strike out applications on behalf of barristers sued by former clients in criminal and civil proceedings.
- Successfully defending various wasted costs applications against lawyers.
- Advising in various lost litigation claims where opportunities for settlement and/or costs savings were missed during the course of the underlying claim.

Various instructions arising from claims by mortgage lenders against professionals where unpaid mortgage loans have resulted in a shortfall on the sale of the security.

Financial Services Professionals

Pippa has varied experience of claims against IFAs and other financial services professionals. She has experience of claims relating to tax mitigation schemes, pensions, failures to implement client instructions and failures in relation to assessment of client risk appetite.

Insurance Brokers & Agents

Pippa has experience of bringing and defending claims against insurance brokers. This is complemented by her practice in insurance law. Her experience of such claims includes experience in relation to disclosure, notification of circumstances to insurers and negligent placing of insurance.

Recent examples of her work include:

- Acting for a claimant firm of IFAs in a Commercial Court claim against their former professional indemnity insurance brokers. The claim alleges failures in relation to advice on disclosure.
- Acting for a defendant insurance broker in a claim relating to fire damage to a hotel for which the insurer has purported to avoid the policy on grounds of deliberate or reckless non-disclosure.
- Acting for a defendant insurance broker in a claim relating to a motor policy and alleged non-disclosure of criminal convictions of one of the drivers.

Surveyors & Valuers

Pippa has significant experience of bringing and defending claims against surveyors and valuers.

Recent examples of her work include:

- Defending a surveyor alleged to have failed to identify Japanese knotweed during a residential mortgage valuation. The case was dismissed and costs awarded to the defendant following a three-day trial.
- Defending a surveyor jointly instructed by the parties to perform a rent review valuation.
- Acting for a property owner suing surveyors for failing to identify damp and/or other serious defects in a high-value home during a building survey.
- Various claims by banks relating to valuation of mortgage securities.

Property Damage

Pippa has varied experience of property damage claims both in terms of recovery actions and in actions against letting agents said to be responsible for permitting such damage. She has experience of private and public nuisance and *Rylands v Fletcher* claims. Recent examples of her work include:

- various claims relating to Japanese knotweed;
- acting for a manufacturer of large oil tanks in a claim relating to a defective product alleged to have caused severe damage to a residential care home;
- acting for a landlord in a claim relating to fire damage caused by a neighbouring property;
- acting for a landlord in a claim relating to negligent servicing of a boiler which caused an oil leak;
- acting for homeowners in a nuisance / negligence claim relating to subsidence allegedly caused by an oak tree in their garden;
- acting for a homeowner in a claim against a major utilities company relating to a flood caused by negligent repairs carried out by their emergency team;
- acting for a homeowner and her insurer in relation to a flood claim brought against both a building company and vendor of bathroom goods which settled shortly prior to trial;
- acting in a claim for damage and business interruption losses on behalf of a business whose showroom was burned to the ground by an escape of hot embers from a garden fire;
- acting for a homeowner and their insurer in a claim relating to the negligent installation of a new water pump which caused a major flood in the property. The claim included losses relating to lost rent from prospective tenants;
- acting for a farmer and his insurer claiming for significant damage to their farm as a result of a fire caused by an incinerator located on a neighbouring property;
- defending a letting agent alleged to have negligently vetted tenants who converted a commercial property into a marijuana factory;
- defending a letting agent alleged by the home-owners to have wrongly permitted tenants to keep pets in a property resulting in considerable animal damage to the property. The matter proceeded to a two-day trial, with more than 10 witnesses for the claimant home-owners where it was successfully defended.

Sports Law

“She is technically excellent and strong in anti-doping work.” – *Legal 500, 2021*

“An excellent junior civil barrister.” – *Legal 500, 2020*

“A creative thinker with a good analytical mind, she is fast, decisive and insightful.” – *Legal 500, 2019*

“Efficient at understanding the brief – she has no weaknesses.” – *Legal 500, 2018*

Recognised as a Leading Sports Junior by Legal 500, Pippa has a sizeable sports law practice which includes acting for athletes, coaches and governing bodies. She has experience of cases across the sports law spectrum, including matters involving selection, doping, funding, disciplinary, governance and contracts. Her experience includes advising on and representing parties in contentious matters that proceed to hearings. In addition, she has experience of advising on non-contentious issues and of drafting in a sports law context.

Recent examples of her work include:

- Acting for a former Olympian charged with evading, refusing or failing to provide a sample. Following a two-day hearing, the charges were dismissed and the athlete exonerated.
- Acting for an athlete appealing a sanction for a positive test for furosemide to the Court of Arbitration for Sport.
- Advising in relation to a footballer's challenge to his conviction for evading provision of a sample.
- Representing a Premiership Footballer charged with a Rule E1 offence before an FA Disciplinary Panel.
- Representing a junior football charged with using racially abusive language before an FA Disciplinary Panel.
- Acting (led by Dan Saoul) for the RFU in prosecuting a rugby union player for possession and use of a prohibited substance.
- Acting and appearing successfully for a manager in a dispute both before the British Boxing Board of Control and the Appeal Stewards of the BBBofC.
- Acting (led by Dan Saoul) in *UKAD v Buttifant*, a case which raised issues regarding intention and contamination and which is now a leading case on intention.
- Acting for a tennis player charged by the ITF with refusing or failing to provide a sample: *ITF v Mak*.
- Acting in an FA Rule K arbitration for a respondent football club.
- Various instructions on behalf of the British Horseracing Authority which have included issues of betting, regulation of trainers and animal welfare.
- Acting in a claim arising from breaches of a host and promoter agreement relating to an international motor racing event.
- Acting in a claim relating to the funding of a series of friendly matches involving a national football team.
- Advising England Boxing on various legal issues, including challenges by boxers to bout results, selection disputes, trade mark infringement and membership. Pippa recently represented England Boxing at a full-day disciplinary tribunal hearing.
- Advising the British Wrestling Association on various legal matters, including selection policies, its constitution and various governance issues, its Betting and Wagering Policy and on disputes regarding funding and rental relief.

Pippa is willing to consider instructions on a pro bono basis where appropriate.

Qualifications & Memberships

Memberships – COMBAR, PNBA, BASL

Education – B.A. (Oxon), Dip. Law (City)

Insights

Professional liability update: 2020 year in review

5 January 2021

The core issues considered in the most important professional negligence cases of 2020 cover five main themes, as follows: The practical consequences of the broad policy-based test laid down in recent years to determine when a claimant's claim is "tainted" by his wrongdoing; When it is an abuse of process to attack the outcome of previous proceedings in a subsequent claim; Challenges posed by the separate legal personalities of a company and its shareholders, creditors or other associates; The need for more certainty in the area of vicarious liability; and The extent to which the filtering mechanism based on scope of duty can cut down damages in a claim framed in breach of fiduciary duty rather than negligence. In this review of the year, Helen Evans, Ben Smiley, Pippa Manby, and Ian McDonald of 4 New Square explain what the 2020 cases tell us, how the various strands of development interact, and what to watch out for as we go into 2021.

Professional liability round up of 2019

7 January 2020

Helen Evans, Pippa Manby, Anthony Jones and Seohyung Kim of 4 New Square Chambers explain what the 2019 cases tell us, how the various strands of development interact, and what trends are evident as we go into 2020.

Aldred v Cham

29 October 2019

In *Aldred v Cham* [2019] EWCA Civ 1780 the Court of Appeal considered whether the cost of counsel's advice relating to the proposed settlement of an RTA claim was a claim for a disbursement which should be allowed in addition to the fixed recoverable



costs (“FRC”) provided for under CPR 45.29C and Table 6B because it was “reasonably incurred due to a particular feature of the dispute”. This case has provided welcome clarity in a previously much disputed area. Roger Mallalieu appeared for the successful Appellant. Pippa Manby explains the facts, the court’s rulings and the implications of the decision.

2018 – A year in Costs

21 January 2019

Costs law update by 4 New Square - the most significant costs cases of 2018.

The Supreme Court abolishes expert witnesses' immunity from suit: Jones v Kaney [2011] UKSC 13

30 March 2011

On 30 March 2011 the Supreme Court delivered its judgment in Jones v Kaney [2011] UKSC 13 abolishing the long-standing principle of English law that expert witnesses are immune from suit in respect of negligence actions brought by clients. This short article seeks: (i) to provide an overview of the case; and (ii) to identify some of its potential implications, not least on insurers and expert witnesses.

The Court of Appeal clarifies the law on Part 36 offers of settlement: C v D [2011] EWCA Civ 646

31 May 2011

In C v D [2011] EWCA Civ 646 the Court of Appeal (composed of Rix, Rimer and Stanley Burnton LJJ) held that a Part 36 offer was not capable of being time limited and that, against that background, a reasonable interpretation of an offer expressed to be a Part 36 offer and to be “open for 21 days” was that the offer would not be withdrawn during such a period, not that it would automatically lapse thereafter.

The Atomic Veterans Litigation

21 November 2011

Legal Update: the Supreme Court hears the appeal of the veterans from Ministry of Defence v AB and others [2010] EWCA Civ 1317 and reserves judgment.

Costs Newsletter: Six Months In

27 November 2013

We are now six months into the Jackson reforms. Most would agree that it is really too early to tell what impact the reforms have had; with many of the reforms being subject to transitional arrangements which necessarily means that it will be towards the beginning of 2014 before we start seeing measurable impacts of the Jackson reforms. That having been said, the reforms have already injected a good deal of challenging questions into civil procedure generally.

Greenwich Millennium Village Limited v Essex Services Group PLC (& ors) [2014] EWHC 1099 (TCC)

6 May 2014

Mr Justice Coulson has handed down his lengthy judgment on the costs matters arising from the claim made by Greenwich Millennium Village Limited (“GMVL”). His judgment may prove of particular interest for his consideration of costs issues which arise when, as so often in the TCC, parties seek to pass on liabilities along a contractual chain.