

OUR PEOPLE

Alison Padfield KC

CALL 1992

SILK 2018

LEGAL 500

“Intellectually outstanding, extremely knowledgeable, great on tactics, always client focused, and extremely commercial”



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Alison Padfield KC is a commercial barrister specialising in insurance and reinsurance, professional conduct/discipline and regulation, and professional liability.

Latest news

- Alison was **shortlisted for Financial Services and Insurance Silk of the year** in the **Legal 500 Bar Awards 2022**
- Alison won Insurance Silk of the Year at the Chambers & Partners UK Bar Awards 2020
- The latest (5th) edition of Alison's book **Insurance Claims** was published by Bloomsbury Professional in 2021
- Alison is participating in the **FreeBar Visibility Project** which launched in July 2022

Alison appears in courts at all levels including the Supreme Court. She also represents clients in arbitrations/expert determination and at mediation.

Alison prosecuted cases before the Bar disciplinary tribunal for more than 20 years. She now accepts instructions to defend barristers facing disciplinary investigations and charges before the tribunal. She also acts in judicial review claims arising out of disciplinary and regulatory matters, and claims involving the Equality Act 2010 and human rights issues.

Alison accepts appointments as an arbitrator.

Alison is the author of **Insurance Claims** (Bloomsbury Professional, 5th edition, 2021), a specialist text on insurance law including insurance brokers' negligence.

Legal 500 2022 ranks Alison as a leading silk:

- **Insurance and Reinsurance:** *'Strong analytical skills, and able to pull together a large amount of information for the purpose of carrying out that analysis. Provides pragmatic commercial advice that is backed by detailed analysis of the finer detail.'*
- **Professional Negligence:** *'Alison has a reassuring presence and a calm manner of proceeding.'*
- **Professional Disciplinary and Regulatory Law:** *'Alison is incredibly user-friendly and has clients and judges eating out of the palm of her hand.'*

Alison is also ranked by **Chambers UK 2021** as a **leading silk** in **Insurance** and **Professional Negligence**.

Alison's recent appellate work includes appearances in the Supreme Court in *O'Connor v Bar Standards Board* [2017] 1 WLR 4833 and *Teal Assurance Co Ltd v W R Berkley Insurance (Europe) Ltd* [2014] Lloyd's Rep IR 56 (with Colin Edelman KC) and the Court of Appeal in *Teal Assurance Co Ltd v W R Berkley Insurance (Europe) Ltd (No 2)* [2017] Lloyd's Rep IR 259 (with Colin Edelman KC) and *Aspen Insurance UK Ltd v Adana Construction Ltd* [2015] Lloyd's Rep IR 511 (with Colin Wynter KC).

Alison's recent notable High Court appearances include *Avantage (Cheshire) Ltd v WSP UK Ltd* [2022] EWHC 171 (TCC), [2022] PNLR 13 (leading **Tom Asquith** in successful defence of reverse summary judgment application in serious fire claim), *Just Digital Marketplace Ltd* [2021] EWHC 15 (QB), *Oran Environmental Solutions Ltd v QBE Insurance (Europe) Ltd* [2020] EWHC 1271 (Comm), *Re High Court Enforcement Regulations 2004* [2020] EWHC 347 (QB), *Cohen v Lorrells LLP & Anr* [2019] EWHC 32 (QB) and *Dorairaj v Bar Standards Board* [2018] EWHC 2762 (Admin).

Insurance and reinsurance

Alison was **shortlisted for Financial Services and Insurance Silk of the year** in the **Legal 500 Bar Awards 2022**

Alison **won Insurance Silk of the Year** at the 2020 Chambers & Partners UK Bar Awards.

Before taking silk, Alison was twice shortlisted for Insurance Junior of the Year in the Chambers & Partners Bar Awards: in 2014 and 2017.

Alison is recognised as a leading specialist in insurance and reinsurance. She is frequently asked to advise on insurance issues relating to high profile and high value cases. Alison has extensive experience of advising and representing insurers and policyholders, and claimants under the Third Parties (Rights Against Insurers) Acts 1930 and 2010, in all aspects of insurance and reinsurance disputes, and across all types of non-marine cover.

Alison is involved in all aspects of insurance claims, both under the common law and under the **Insurance Act 2015**, and involving subrogation, double insurance, and related issues such as compensation for breach of ICOBS under **s 138D** of the Financial Services and Markets Act 2000, and applications for non-party costs orders against insurers under **s 51 of the Senior Courts Act 1981**.

Alison's recent work includes advice on the impact of COVID-19 on insurance policies of various types including business interruption and event cancellation insurance. More generally, her work includes all aspects of insurance except marine insurance – including material damage and business interruption insurance, public and product liability insurance, professional indemnity insurance (including construction professionals), directors' and officers' (D&O) and trustees' liability cover, employers' liability insurance policies, commercial combined policies, construction and engineering (including contractors' all risk (CAR) and contractors' combined policies), legal expenses insurance (both before the event/BTE and after the event/ATE), private medical insurance, and accident, life, permanent health (PHI) and critical illness insurance.

For more information, please view the **Insurance & Reinsurance** section under **Areas of Expertise** below.

Professional conduct and discipline and related areas

Alison prosecuted cases before the Bar disciplinary tribunal for more than 20 years. She now accepts instructions to defend barristers facing disciplinary investigations and charges before the tribunal. She also acts in judicial review claims arising out of disciplinary and regulatory matters, and claims involving the Equality Act 2010 and human rights issues.

Alison has extensive knowledge of professional conduct and disciplinary issues involving barristers. She has 20 years' experience of appearing in the Bar's Disciplinary Tribunal, in appeals to the Visitors of the Inns of Court and the Administrative Court, and in related civil proceedings including for judicial review, misfeasance and under the Human Rights Act. She also has significant knowledge of the law of contempt.

Alison is instructed on cases within her areas of expertise which have cross-over employment and discrimination aspects, including the Equality Act 2010 and human rights issues, due to her many years' experience in the Employment Tribunal and the Employment Appeal Tribunal at an earlier stage in her career. This included advising and representing the Commissioner of Police

of the Metropolis in a series of high profile race and religious discrimination claims brought by senior officers and staff.

For more information, please view the **Disciplinary & Regulatory** section under **Areas of Expertise** below.

Professional liability

Alison has significant expertise in professional liability claims. She recently led **Tom Asquith** in *Avantage (Cheshire) Ltd v WSP UK Ltd* [2022] EWHC 171 (TCC), [2022] PNLR 13 – the successful defence of an application by fire design consultants for reverse summary judgment in a serious fire claim arising out of a PFI construction project.

Alison has particular experience in insurance and reinsurance brokers' negligence claims, including claims with cross-over insurance or reinsurance issues. She also has experience of applications for civil restraint orders under **CPR PD 3C** and of claims for wasted costs against legal representatives under **s 51 of the Senior Courts Act 1981**.

For more information, please view the **Professional Liability** section under **Areas of Expertise** below.

Commercial litigation

Alison's commercial litigation practice is wide-ranging, including claims for damages for breach of commercial agreements, such as contracts for the sale of goods or supply of services, directors' duties, shareholder and partnership disputes and claims involving the **Commercial Agents (Council Directive) Regulations 1993**. She also has extensive experience of insurance and reinsurance claims and professional liability claims in a commercial and construction context.

For more information, please view the **Commercial Litigation** section under **Areas of Expertise** below.

Previous recognition in legal directories and awards

Legal 500 2021 ranked Alison as a leading silk:

- **Insurance and Reinsurance:** *'Alison is an insurance guru and very well respected by clients and partners. She is always prepared, calm and unflappable and has a very easy manner that puts clients from all walks of life entirely at their ease. She is also intellectually outstanding and great on tactics.'*
- **Professional Negligence:** *'Not only is she intellectually outstanding, great on tactics, but you can always rely on the fact that she will work with you seamlessly as part of the team.'*
- **Professional Disciplinary and Regulatory Law:** *'She has encyclopaedic knowledge of regulatory law and is very practical-minded.'*

Legal 500 2018 said about Alison: *'Intellectually outstanding, extremely knowledgeable; great on tactics, always client focused and extremely commercial in her approach'* (Professional Negligence), *'Exudes intellectual and personal integrity; her promotion to silk was overdue'* (Commercial Litigation), and *'A go-to barrister for insurance cases and her text book on insurance claims is the most user friendly on the market'* (Insurance and Reinsurance).

Recent notable court and arbitration appearances

- *Avantage (Cheshire) Ltd v WSP UK Ltd* [2022] EWHC 171 (TCC), [2022] PNLR 13 (leading **Tom Asquith**) – successful defence of reverse summary judgment application in serious fire claim
- *Just Digital Marketplace Ltd* [2021] EWHC 15 (QB) – whether controlled goods agreement can be entered into by video without enforcement agent attending physically at premises where goods are located
- *Oran Environmental Solutions Ltd v QBE Insurance (Europe) Ltd* [2020] EWHC 1271 (Comm) – validity of service of claim

form

- *Re High Court Enforcement Regulations 2004* [2020] EWHC 347 (QB) (Regulation 12 proceedings against a High Court Enforcement Officer)
- *Cohen v Lorrells LLP & Anr* [2019] EWHC 32 (QB) – whether claim against alleged successor practice under solicitors’ minimum terms and conditions (MTCs – professional indemnity insurance) should be struck out
- *Dorairaj v Bar Standards Board* [2018] EWHC 2762 (Admin) – whether breach by regulator of complaints rules deprived disciplinary tribunal of jurisdiction
- *W R Berkley Insurance (Europe) Ltd v Teal Assurance Co Ltd* [2017] Lloyd’s Rep IR 259, CA (with Colin Edelman KC) – reinsurance – whether payment into escrow account ascertained insured’s loss under underlying liability policy
- *O’Connor v Bar Standards Board* [2017] UKSC 78 – time limits and indirect race discrimination claim under Human Rights Act 1998
- *Aspen Insurance UK Ltd v Adana Construction Ltd* [2015] Lloyd’s Rep IR 511, CA (with Colin Wynter KC) – claim involving construction of public liability and product liability wordings and their inter-relationship in a combined contractors’ liability policy
- *R (Prescott) v Bar Council* [2015] EWHC 1919 (Admin) – public law challenge relating to the BPTC Handbook and its application
- *A Company v D&O Insurers* (2014) (with Colin Edelman KC) – successful defence of claim against insurers under policy of D&O insurance at two-day arbitration hearing – details are confidential
- *Herridge v Parker & Allianz Insurance Plc* [2014] Lloyd’s Rep IR 177 – defence of application for costs against after the event (ATE) insurer as non-party under s 51(3) of the Senior Courts Act 1981; first reported case involving such an application against an ATE insurer
- *Teal Assurance Co Ltd v W R Berkley Insurance (Europe) Ltd* [2013] Lloyd’s Rep IR 56, SC (with Colin Edelman KC) – reinsurance case in Supreme Court concerning the order in which claims made by an insured exhaust layers of liability insurance cover and related Commercial Court proceedings

Expertise

Insurance & Reinsurance

Alison was **shortlisted for Financial Services and Insurance Silk of the year** in the **Legal 500 Bar Awards 2022**.

Alison won Insurance Silk of the Year at the **Chambers & Partners UK Bar Awards 2020**.

Alison is ranked as a **leading silk in Insurance and Reinsurance** by both Legal 500 and Chambers UK.

Legal 500 2022 Insurance and Reinsurance says: ‘*Strong analytical skills, and able to pull together a large amount of information for the purpose of carrying out that analysis. Provides pragmatic commercial advice that is backed by detailed analysis of the finer detail.*’

Alison is also ranked by **Chambers UK 2021** as a **leading silk in Insurance and Professional Negligence**.

Legal 500 2021 said: ‘*Alison is an insurance guru and very well respected by clients and partners. She is always prepared, calm and unflappable and has a very easy manner that puts clients from all walks of life entirely at their ease. She is also intellectually outstanding and great on tactics.*’

Chambers UK 2020 said: ‘*Experienced in both insurance and professional negligence cases and is particularly noted for her methodical and meticulous approach. She handles insurance and reinsurance arbitrations as well as litigation. Her practice is evenly split between claimant and defendant work.*’ “*A guru on insurance law and coverage matters.*” “*Intellectually outstanding.*” “*A true insurance expert.*”

Alison is recognised as a leading specialist in insurance and reinsurance. She is frequently asked to advise on insurance issues relating to high profile and high value cases. Alison has extensive experience of advising and representing insurers and policyholders, and claimants under the Third Parties (Rights Against Insurers) Acts 1930 and 2010, in all aspects of insurance and reinsurance disputes, and across all types of non-marine cover.

Alison is involved in all aspects of insurance claims, both under the common law and under the [Insurance Act 2015](#), and involving subrogation, double insurance, and related issues such as compensation for breach of ICOBS under [s 138D](#) of the Financial Services and Markets Act 2000, and applications for non-party costs orders against insurers under [s 51 of the Senior Courts Act 1981](#).

Alison's recent work includes advice on the impact of COVID-19 on insurance policies of various types including business interruption and event cancellation insurance. More generally, her work includes all aspects of insurance except marine insurance – including material damage and business interruption insurance, public and product liability insurance, professional indemnity insurance (including solicitors and construction professionals), directors' and officers' (D&O) and trustees' liability cover, employers' liability insurance policies, commercial combined policies, construction and engineering (including contractors' all risk (CAR) and contractors' combined policies), legal expenses insurance (both before the event/BTE and after the event/ATE), private medical insurance, and accident, life, permanent health (PHI) and critical illness insurance.

Alison has also written and lectured on the [Insurance Act 2015](#), including [damages for late payment of insurance claims](#).

Alison appeared for a director of Autofocus Ltd in [Accident Exchange Ltd v George-Broom & Others](#) [2017] EWHC 1530 (Admin), contempt of court proceedings arising out of witness statements and reports by Autofocus Ltd for insurers defending credit hire claims.

Alison also has significant expertise in bringing and defending claims against insurance and reinsurance brokers. Her recent cases include multi-million pound claims in the Commercial Court arising out of group litigation by airline pilots in the United States (acting for insured against reinsurance brokers in connection with complex, multi-layer, multi-year reinsurance programme) and arising out of a fire at two well-known bars/clubs in the East End of London (acting in defence of two separate claims against insurance brokers involving public liability and business interruption insurance).

Alison also accepts appointments as an arbitrator in insurance and reinsurance disputes. She is a member of the [ARIAS panel of arbitrators](#).

Featured Insurance Cases include

- [Cohen v Lorrells LLP & Anr](#) [2019] EWHC 32 (QB) – whether claim against alleged successor practice under solicitors' minimum terms and conditions (MTCs – professional indemnity insurance) should be struck out
- [W R Berkley Insurance \(Europe\) Ltd v Teal Assurance Co Ltd](#) [2017] EWCA CIV 25; Whether payment into escrow account ascertained insured's loss under underlying liability policy. Read the judgment [here](#).
- [Aspen Insurance UK Ltd v Adana Construction Ltd](#) [2015] LLOYD'S REP IR 511 CA; A claim involving construction of public liability and product liability wordings and their inter-relationship in a combined contractors' liability policy. Read the judgment [here](#).
- [A Company v D&O Insurers](#); Successful defence of claim against insurers under policy of D&O insurance at two-day arbitration hearing – details are confidential.
- [Herridge v Parker and Allianz Insurance plc](#) [2014] LLOYD'S REP IR 177; Successful defence of application for costs against after the event (ATE) insurer as non-party under s 51(3) of the Senior Courts Act 1981; first reported case involving an application against an ATE insurer under s 51(3).
- [Teal Assurance Co Ltd v W R Berkley Insurance \(Europe\) Ltd](#) [2013] LLOYD'S REP IR 56; Reinsurance case in Supreme Court concerning the order in which claims made by an insured exhaust layers of liability insurance cover. Read the judgment [here](#).
- [Synergy Health \(UK\) Ltd v CGU Insurance plc](#) [2011] LLOYD'S REP IR 500; A high-value insurance (fire) claim raising issues of misrepresentation, non-disclosure and waiver, and quantum of business interruption insurance. Please read the judgment [here](#).
- [Wood v The Heart Hospital Ltd](#) [2009] BPIR 1538; The impact of potential claim under Third Parties (Rights Against Insurers) Act 1930 on distribution of funds held by CVA supervisor.
- [Kamidian v Holt](#) LLOYD'S REP IR 242; A claim against Lloyd's underwriters and claims in bailment against the curators of a Fabergé exhibition in the United States. Please read the judgment [here](#).

Publications

Alison is the author of [Insurance Claims](#) (Bloomsbury Professional, 5th edition, 2021), a specialist text on insurance law:

'It is extremely welcome to find a book addressing the law of insurance in which clear and succinct answers can readily be found' – from Colin Edelman QC's Foreword to the 3rd edition, 2012

‘Alison Padfield’s book ... has admirably combined brevity with clarity of exposition ... an excellent book’ – from a review by Professor Robert Merkin of the first edition in the Journal of Business Law in September 2004

Alison is also a regular contributor to publications on insurance law. She co-authored Informa’s **Insurance law in 2018: a year in review** with Miles Harris, and some of her published articles are available to download [here](#). Alison’s blog on the decision of the Supreme Court in *Travelers Insurance Co Ltd v XYZ* was republished in **Costs Lawyer** (Issue 5, November/December 2019).

Seminars

Alison is frequently asked to give seminars and lectures on insurance law. Recent speaking engagements include:

- A lecture to the **British Insurance Law Association** on *Decision-making by (re)insurers – limits on contractual rights* (2021)
- A lecture on **Ex turpi causa** (illegality) in insurance contracts at a **motor vehicle insurance conference organised by The Dickson Poon School of Law, King’s College London** (2019)
- A lecture to the **British Insurance Law Association** on non-party costs orders against insurers under **s 51 of the Senior Courts Act 1981 (No limits? Non-party costs orders against insurers)** (2018)

Other recognition

Alison was twice **shortlisted for Insurance Junior of the Year** in the Chambers Bar Awards: in **2014** and **2017**.

Legal 500 2021 said: *‘Alison is an insurance guru and very well respected by clients and partners. She is always prepared, calm and unflappable and has a very easy manner that puts clients from all walks of life entirely at their ease. She is also intellectually outstanding and great on tactics.’*

Legal 500 2020 said: *‘A guru on insurance law and coverage matters’*

Chambers UK 2019 said that Alison was *‘particularly noted for her methodical and meticulous approach. She handles insurance and reinsurance arbitrations as well as litigation. Her practice is evenly split between claimant and defendant work. “An expert in the insurance field.” “An effective advocate who is accessible and user-friendly.” “Exceptionally bright and an absolute joy to work with.”’*

Legal 500 2018 said about Alison: *‘A go-to barrister for insurance cases and her text book on insurance claims is the most user friendly on the market’.*

Chambers UK 2018 ranked Alison in Band 1 for Insurance juniors: *‘Recognised as “a go-to junior for insurance claims interpretations and policy questions.” She is experienced in both insurance and professional negligence cases and is particularly noted for her methodical and meticulous approach. She handles insurance and reinsurance arbitrations as well as litigation. “An effective advocate, who is accessible and user-friendly.” “She is delightful and extremely knowledgeable.”’*

Legal 500 2017 said about Alison: *‘Calm, measured, robust and responsive; her advice is invaluable’* (Commercial Litigation), *‘Intellectually very able, extremely knowledgeable on case law, great attention to detail and always prepared’* (Professional Negligence), and *‘Unflappable, attentive to detail and an absolute pleasure to work with’* (Insurance and Reinsurance).

Chambers UK 2017 said about Alison: *‘A very highly thought-of junior who is “just a joy to work with” and experienced in both insurance and professional negligence cases. She is noted for her methodical and meticulous approach.’ “She is outstandingly user-friendly: nothing I put her way seems to floor her. Always calm and in control, she’s good at rolling up her sleeves and making you feel you’re all in this together.” “Technically brilliant and with an eye for detail.”’*

Legal 500 2016 said about Alison: *‘She has a wealth of knowledge and experience and applies it with sound judgement’* (Insurance and Reinsurance), *‘An absolute star and a real detail barrister, who is methodical and cerebral’* (Commercial Litigation), *‘Incredibly bright and her advice is always clear and concise’* (Professional Negligence).

Chambers UK 2016 said about Alison: *‘Standout junior who boasts expertise in both professional negligence and insurance and reinsurance. She is “a very accomplished advocate.” “Thoroughness and attention to detail is what stands out; she is extremely well prepared for matters, and very cool under fire as well.”’*

Legal 500 2015 said that *‘She is always meticulously well prepared and has a very good manner with clients’.*

Legal 500 2014 described Alison as ‘**exceptionally bright**’, and Chambers UK 2015 said: ‘**A truly outstanding junior who has deep insurance knowledge and is frequently led by some of the top silks at the Bar. She is equally at home in the courtroom or in arbitration. “She writes the textbook, is in a lot of the cases and knows everything there is to know about insurance”**’.

In Insurance, Chambers UK 2014 said: ‘**Known for her deep knowledge of insurance and reinsurance law, she is commended for her experience in professional indemnity and business interruption claims... “Very user-friendly, very responsive and easy to get on with.”**’

In Insurance and Reinsurance, Legal 500 2013 described Alison as ‘**exceptionally bright**’, Chambers UK 2013 said that she is seen as a ‘**shrewd and effective advocate**’ and that ‘**as a highly skilled junior she continues to make her presence felt on key cases**’, and Legal 500 2012 described her as ‘**extremely knowledgeable in her field**’.

Chambers UK 2012 said Alison was ‘**conscientious, highly thorough and detailed**’, and Legal 500 2011 said that her ‘**client care skills are second to none**’.

Disciplinary & Regulatory

Alison prosecuted cases before the **Bar disciplinary tribunal** for more than 20 years. She now accepts instructions to defend barristers facing disciplinary investigations and charges before the tribunal. She also acts in judicial review claims arising out of disciplinary matters.

Legal 500 2021 ranks Alison as a leading silk in Professional Disciplinary and Regulatory Law: ‘**Alison is incredibly user-friendly and has clients and judges eating out of the palm of her hand.**’

Legal 500 2020 said about Alison: ‘**She has encyclopaedic knowledge of regulatory law and is very practical-minded.**’

Alison has particular expertise in professional conduct and disciplinary issues involving barristers. She has 20 years’ experience of appearing in the Bar disciplinary tribunal and in appeals/judicial reviews. She has also appeared before the **Inns’ Conduct Committee**. Her work also includes civil claims for discrimination, misfeasance and under the Human Rights Act. She also has experience of solicitors’ regulatory and disciplinary issues.

Alison represented the High Court Enforcement Officer in *Re High Court Enforcement Regulations 2004* [2020] EWHC 347 (QB) (Regulation 12 proceedings). She represented the Bar Standards Board in *Dorairaj v Bar Standards Board* [2018] EWHC 2762 (Admin) (whether breach by regulator of complaints rules deprived disciplinary tribunal of jurisdiction), and in one of the statutory appeals in *Rehman v Bar Standards Board* [2016] EWHC 1199 (Admin) (appeal to the High Court by a barrister against a disciplinary tribunal decision; appeared with Lucinda Harris on appeal and before the disciplinary tribunal).

Alison represented the Bar Standards Board/Bar Council in judicial review proceedings in *R (Prescott) v Bar Council* [2015] EWHC 1919 (Admin) (a public law challenge relating to the BPTC Handbook and its application) and in judicial review proceedings and a related claim for discrimination in *Iteshi v Bar Council* [2012] Eq LR 553, EAT.

Alison also has experience of applications for civil restraint orders under **CPR PD 3C** including *Rehman v Bar Standards Board* [2016] EWHC 2023 (Admin).

She also has significant knowledge of the law of contempt. She appeared for a director of Autofocus Ltd in *Accident Exchange Ltd v George-Broom & Others* [2017] EWHC 1530 (Admin), contempt of court proceedings arising out of witness statements and reports by Autofocus Ltd for insurers defending credit hire claims. For many years, Alison edited the Contempt of Court section in volume 2 of the Civil Court Practice (LexisNexis; the ‘Green Book’).

Alison is instructed on cases which have cross-over **employment** and **discrimination** aspects, including the Equality Act 2010 and human rights issues, due to her many years’ experience in this area at an earlier stage in her career. This included claims for unfair and wrongful dismissal and a wide range of discrimination claims, including advising and representing the Commissioner of Police of the Metropolis in a series of high profile race and religious discrimination claims brought by senior officers and staff (including, with Tom Linden QC, the claims brought by Commander Ali Dizaei: one of **The Lawyer’s Top 20 Cases of 2013**). Alison’s discrimination cases include *O’Connor v Bar Standards Board* [2017] 1 WLR 4833, SC (race discrimination), *Iteshi v Bar Council* [2012] Eq LR 553, EAT (race discrimination), and *Paterson v Commissioner of Police of the Metropolis* [2007] ICR 1522, EAT (disability discrimination).

Alison chaired the Commercial Bar Association (COMBAR) **Equality & Diversity Committee** from 2014 to 2018.

Professional Liability

Professional liability overview

Alison is ranked as a leading professional negligence silk by both Legal 500 and Chambers UK:

Legal 500 2021 says: *'Alison has a reassuring presence and a calm manner of proceeding.'*

Chambers UK 2020 said: *'Has particular expertise in professional negligence claims brought against insurance brokers, drawing on her wider experience as a leading insurance silk. She is also well versed in the defence and prosecution of actions against solicitors, financial advisers, architects and others.'* *"She is intellectually outstanding and extremely knowledgeable. She's always client-focused and is extremely commercial in her approach. She is well prepared, calm and unflappable, and is an absolute pleasure to work with."*

Legal 500 2021 said about Alison: *'Not only is she intellectually outstanding, great on tactics, but you can always rely on the fact that she will work with you seamlessly as part of the team.'*

Alison has extensive experience of bringing and defending **professional negligence** claims involving a wide range of advisers including insurance and reinsurance brokers, independent financial advisers, solicitors, barristers, accountants, valuers and surveyors, architects and structural engineers and other specialists such as agronomists.

She recently led **Tom Asquith** in *Avantage (Cheshire) Ltd v WSP UK Ltd* [2022] EWHC 171 (TCC), [2022] PNLR 13 – the successful defence of an application by fire design consultants for reverse summary judgment in a serious fire claim arising out of a PFI construction project.

Alison has particular expertise in bringing and defending claims against **insurance and reinsurance brokers** which include cross-over insurance or reinsurance issues. Her recent cases include multi-million pound claims in the Commercial Court arising out of fire and flood claims for material damage and business interruption insurance, and group litigation by airline pilots in the United States (acting for insured against reinsurance brokers in connection with complex, multi-layer, multi-year reinsurance programme).

Alison also has experience of claims for **wasted costs** against legal representatives under **s 51 of the Senior Courts Act 1981**, and of applications for **civil restraint orders** under **CPR PD 3C** including *Rehman v Bar Standards Board* [2016] EWHC 2023 (Admin). She has extensive knowledge of professional conduct issues involving barristers and solicitors. She has almost 20 years' experience of appearing in the Bar's Disciplinary Tribunal, and in appeals to the Visitors of the Inns of Court and the Administrative Court.

Alison is instructed on cases which have cross-over **employment** and **discrimination** aspects, due to her many years' experience in these areas in the Employment Tribunal and the Employment Appeal Tribunal at an earlier stage in her career. This included advising and representing the Commissioner of Police of the Metropolis in a series of high profile race and religious discrimination claims brought by senior officers and staff. Her other cases include *O'Connor v Bar Standards Board* [2017] 1 WLR 4833, SC (race discrimination), *Iteshi v Bar Council* [2012] Eq LR 553, EAT (race discrimination), and *Paterson v Commissioner of Police of the Metropolis* [2007] ICR 1522, EAT (disability discrimination).

Publications

Alison's **most recent published professional liability article**, written with **Diarmuid Laffan** for the **New Law Journal**, is on the obligations of SIPP providers after *R (Berkeley Burke SIPP Administration Ltd) v Financial Ombudsman Service Ltd*.

For Alison's article with Sophie Belgrove in the **New Law Journal** on solicitors' negligence and unbundled legal services, and her article on valuers' negligence and buy-to-let property, click [here](#).

Commercial Litigation

Alison's **commercial litigation** practice is wide-ranging, including claims for damages for **breach of commercial agreements**, such as contracts for the sale of goods or supply of services, shareholder and partnership disputes and claims involving the **Commercial Agents (Council Directive) Regulations 1993**. She also has extensive experience of insurance and reinsurance claims and professional liability claims in a commercial and construction context.

Legal 500 2020 ranks Alison as a leading silk in Commercial Litigation, saying: *'Intellectually outstanding, extremely knowledgeable; great on tactics, always client focused and extremely commercial in her approach'*.

Legal 500 2018 said: *'Exudes intellectual and personal integrity; her promotion to silk was overdue.'*

Recent editions of **Legal 500** said about Alison's work as a junior in Commercial Litigation: **'Calm, measured, robust and responsive; her advice is invaluable'** (2017), **'An absolute star and a real detail barrister, who is methodical and cerebral'** (2016), **'Extremely calm, thorough and a delight to work with; she handles client meetings well'** (2015), and **'She shows great attention to detail and intellect, and is also very user friendly'** (2014).

Click [here](#) to read Alison's recent article with Sophie Belgrove about the impact of certain types of contractual term on termination payments under the Commercial Agents (Council Directive) Regulations 1993.

Awards



Qualifications

Appointments

Alison is a trustee of the [Free Representation Unit](#).

From 2012 to 2020, Alison was an elected member of the [Bar Council](#).

From 2015 to 2018, Alison chaired the [Bar Council Pro Bono Committee](#) and the [South Eastern Circuit Access to Justice Working Group](#).

From 2014 to 2018, Alison chaired the Commercial Bar Association (COMBAR) [Equality and Diversity Committee](#).

Education

BA – undergraduate law degree at Oxford University

Lic Spéc Dr Eur – Master's degree in European Law taught in French at the Université Libre de Bruxelles (Brussels)

BCL – Master's degree in law at Oxford University

Languages

Alison is able to read documents and conduct conferences in French. She has some knowledge of Spanish and Russian.

Other information

Alison supports [FreeBar](#), a network for LGBT+ people and their allies working as barristers and with barristers.

Alison is participating in the [FreeBar Visibility Project](#) which launched in July 2022.

Publications

Alison's key publication is [Insurance Claims](#) (Bloomsbury Professional, 5th edition, 2021), a specialist text on insurance law including insurance brokers' negligence:

'It is extremely welcome to find a book addressing the law of insurance in which clear and succinct answers can readily be found' – from Colin Edelman KC's Foreword to the 3rd edition

'Alison Padfield's book ... has admirably combined brevity with clarity of exposition ... an excellent book' – from a review by Professor Robert Merkin KC of the first edition in the *Journal of Business Law*

Alison is also a regular contributor to publications on insurance law. She co-authored Informa's [Insurance law in 2018: a year in review](#) with [Miles Harris](#), and some of her published articles are available to download [here](#). Alison also writes the [Chaffanbrass commercial law blog](#). Her blog on the decision of the Supreme Court in *Travelers Insurance Co Ltd v XYZ* was republished in [Costs Lawyer](#) (Issue 5, November/December 2019).

Alison is frequently asked to give seminars and lectures on insurance law. In 2021 she gave a lecture to the [British Insurance Law Association](#) on *Decision-making by (re)insurers – limits on contractual rights*. In 2018, she gave a lecture to BILA on non-party costs orders against insurers under [s 51 of the Senior Courts Act 1981](#).
