



Alice Carse

Call 2008

Alice Carse is a highly regarded commercial barrister, ranked by the directories for her work in insurance where she has been recognised as an “excellent insurance lawyer” (Legal 500 2023) and for “her expertise in acting for insurers in high-stakes disputes” (Chambers & Partners 2022).

She is instructed in high value and complex insurance and commercial litigation. This includes work in insurance and reinsurance disputes, associated professional negligence claims, restrictive covenant disputes relating to both employees and commercial transactions and a great deal of experience in making and defending claims for injunctive relief. Alice is “*tactically and commercially astute... and she is able to present the legal and factual issues in clear, simple and pragmatic forms*” (Chambers & Partners 2022).

Alice is an experienced advocate and has been recognised for her “*wealth of advocacy experience*” (Chambers & Partners 2022). She often appears against silks and has appeared as sole counsel in multi-week trials, interim applications and at appellate level up to and including the Court of Appeal. Her trial work has been described as “*meticulous and forensic, and her advocacy [is] measured and focused*” (Legal 500 2023).

Insurance & Reinsurance

Alice is recognised as a leading insurance junior by Chambers UK 2023 and Legal 500 2023.

Alice has a busy insurance practice, both as sole and junior counsel to market leading silks. This includes experience of coverage disputes, aggregation, claims under the Third Parties (Rights Against Insurers) Act 2010, non-payment of premium, defence costs, business interruption (including COVID-19), fire claims (including hot works conditions precedent) and claims under the Consumer Insurance (Disclosure and Representations) Act 2012. She is experienced at advising and representing insurers in cases of alleged fraud, including in multi-million pound disputes. Alice has been involved in insurance disputes arising from a range of industries including construction, cladding, roofing and from professional negligence claims. She is also instructed to represent insurers in subrogated claims including sale of goods, construction and breach of contract claims.

Featured Insurance & Reinsurance cases

- Acting in arbitration proceedings relating to reinsurance of professional indemnity insurance, led by Rachel Ansell KC.
- Defending a very high value and complex fire claim under the Consumer Insurance (Disclosure and Representations) Act 2012, brought by the spouse of a deceased insured and involving allegations of fraud.
- Advising and representing an insurer in a coverage dispute under an EL policy, in respect of a high value catastrophic personal injury claim.
- Representing an insurer in high value arbitration proceedings involving aggregation in solicitors' negligence.
- Representing an insured construction company in arbitration proceedings relating to defective cladding against the insurer of a cladding sub-contractor under the Third Parties (Rights Against Insurers) Act 2010.
- Advising on various coverage issues arising from a high value, multi-party construction disputes.
- Fire claims – including advising an insured on cover in respect of claim arising from a devastating fire and alleged non-compliance with a condition precedent; advising an insurer on coverage issues relating to occupation and use of premises; representing an insurer in Commercial Court proceedings relating to a hot works condition precedent; advising an insurer on cover following a fire at premises used in the entertainment industry.
- Advising an insurer on reinsurance cover relating to travel insurance and COVID-19.
- Advising insured businesses on business interruption caused by COVID-19.
- Advising and representing an insured business in a Commercial Court business interruption claim caused by water damage.
- Advising an insurer on cover under a Construction All Risks policy.
- Advising an employer on cover under its group income protection policy.
- Advising an insurer on the consequences of non-payment of premium.
- Advising an insured on cover for waking fire-watch expenses at a development affected by combustible cladding.
- Advising on cover under a buyer's warranty and indemnity policy.

Alice also has experience of advising on the liability to insurance premium tax and has recently represented HMRC in FFT proceedings relating to insurance premium tax in Construction All Risks insurance.

Alice is a member of BILA and was a member of the BILA Young Professionals Committee. From 2016 to 2019 she was a member of the COMBAR Executive Committee. Earlier in her career she spent time working in-house at an insurer client in order to gain first-hand experience of the market. Also, she completed a four month secondment at a solicitors' firm in the professional negligence and London markets insurance team.

Alice assisted lead counsel with updating the reinsurance chapter of MacGillivray on Insurance Law (Centenary edition). Alice was a co-contributor of an article to the British Insurance Law Association Journal (125th edition) entitled "Consumer Insurance: the risks of contracting on unfair terms".

Commercial Litigation

Alice has represented clients in a wide range of commercial disputes, both in litigation and arbitration. She has appeared as sole counsel against KCs on numerous occasions.

Her work in commercial litigation includes employment disputes relating to restrictive covenants, team moves, confidential information and bonus claims. She has been recognised by the directories for her expertise in industrial action, including on some of the most high-profile industrial disputes in recent years, where she is experienced at making applications for interim injunctions to halt strike action. Alice also advises employers implementing large-scale changes to their workforces, enabling businesses to develop successful industrial relations strategies. This includes experience of collective changes to terms and conditions, managing the impact of strikes and negotiating collective agreements.

Alice has a great deal of experience in making and defending applications for injunctive relief. Her work on restrictive covenants and business protection extends to the enforcement of post-sale restrictions in commercial transactions. She also has experience of handling allegations of fraud. In her insurance work she defended (as junior) a claim in the Commercial Court claim in excess of £30m on the basis of fraud and misrepresentation.

Other recent work includes defending a claim under the Sale of Goods Act in the TCC, relating to alleged defects in materials supplied for a construction project; representing a reinsurer in very high value arbitration proceedings relating to the correct construction of a premium rebate clause and acting for a construction company in contractual dispute with a cladding contractor.

Professional Negligence

In addition to her insurance work, Alice accepts instructions in professional negligence claims. She is currently acting in a high value dispute relating to construction works and involving difficult issues of quantum and based on allegations of negligence by architects. She has acted in claims against solicitors, valuers and surveyors, including conveyancing, in addition to dealing with associated insurance coverage matters.

Earlier in her career, Alice undertook a secondment at a firm of City solicitors undertaking defendant professional negligence work. She has a great deal of experience working with insurers and defendants to defend claims.

Appointments

- Junior Counsel to the Crown (C Panel) 2016-2021

Awards

- Albion Richardson Award (Gray's Inn)

Memberships

- COMBAR (Executive Committee member 2016-2019)
- TECBAR
- BILA (BILA U35s Committee member 2018)
- Employment Law Bar Association
- Professional Negligence Bar Association
- London Common Law and Commercial Bar Association (former committee member)
- Employment Lawyers' Association
- Free Representation Unit
- Advocate (formerly Bar Pro Bono Unit)

Education

- LLM (2008-09) London School of Economics
- BVC (2007-08) BPP
- BA Law (2003-6) St John's College, University of Oxford
- The Maynard School, Exeter, Devon
- St Joseph's School, Launceston, Cornwall

Recommendations

"Alice is an excellent insurance lawyer. She is very tenacious and her written advocacy is of the highest quality." – Insurance and Reinsurance, Legal 500 2023.

"Notable for her expertise in acting for insurers in high-stakes disputes. She has a wealth of advocacy experience. Alice is an experienced junior counsel for insurance litigation and professional negligence matters" – Insurance, Chambers UK Bar 2023

“Alice is incredibly thorough in her advice. She is hugely collaborative, which is very helpful, and clients really feel that their views are listened to and taken into account.” Acted for Chubb to defend a claim brought by the widow of an insured for an indemnity following a fire at the insured property and the death of her husband”. – Insurance, Chambers UK Bar 2022.

“She is a source of clear, considered and well-structured advice, and always happy to discuss content and conclusions reached. Loved by insurer and insured clients for being accessible and empathetic.” – Insurance and Reinsurance, Legal 500 2022.

“Alice’s preparation for trial is meticulous and forensic, and her advocacy is measured and focused. She is approachable, and explains matters to client in a user-friendly and engaging manner, inspiring their confidence and reliance in her and her abilities.” – Employment, Legal 500 2023

“A respected barrister notable for her expertise across a range of employment matters, and a particular specialism in industrial relations matters. ‘Alice is my go-to barrister for complex and unusual legal challenges, or where the issue involves particularly sensitive matters.’ ‘Alice delivers reassuring and commercially focused legal advice. Her industrial relations expertise in particular is excellent.’” – Employment, Chambers UK Bar 2023

*“She is tactically and commercially astute, she provides an invaluable contribution to extremely sensitive matters, she is always available when needed and she is able to present the legal and factual issues in clear, simple and pragmatic forms.”
“She gets to grips with very nasty claims very quickly, she is very commercial, and she is not too caught up in historic case law but she is across all the technical points.” – Employment, Chambers UK Bar 2022.*

“An effective team member with an eye for detail and a wealth of experience from previous industrial relations cases.” – Employment, Legal 500 2022.

“She’s very smart, tenacious in cross-examination and always on top of her brief.” “She’s calm, measured, sharp and insightful.” – Employment, Chambers UK Bar 2021

“An unshakeable, levelled and precise advocate. She is excellent with clients and translates complex legal matters into commercially focused solutions, enabling decisions to be made.” – Employment, Legal 500 2021

“Her advocacy is a delight to watch: intelligent, robust and thorough.” “She has incredible gravitas.” – Employment, Chambers UK 2020

“She has a confident manner which instils confidence in clients.” – Employment, Legal 500 2020

“A brilliant advocate for industrial relations work.” – Employment, Legal 500 2019