

Alicia Tew

Call: 2012



Overview

Alicia specialises in professional liability, insurance, regulation, and commercial disputes including civil fraud. She enjoys acting as sole counsel or as a junior, and frequently appears as sole counsel in complex claims.

Alicia has strong relationships with her clients and enjoys working as part of a team. She is acting on large valuers' negligence cases in the new wave of lenders' claims. She is currently being led by Nicola Rushton KC in a large civil fraud case arising out of a collective investment scheme, and by Jamie Carpenter QC in an appeal to the Court of Appeal in a leading costs case.

Professional liability

A substantial part of Alicia's practice involves professional liability work focusing on lawyers, property and financial professionals.

Lawyers

Alicia has an extensive practice in lawyers' liability, including barristers and solicitors' claims. Her cases include claims arising out of the following areas:

- Failed shared ownership schemes
- Property, particularly conveyancing including fraudulent transactions, breach of fiduciary duty, breach of undertakings, commercial and residential leases
- Tax avoidance schemes
- Data protection breaches
- Information Commissioner proceedings

- Civil litigation, including over-settlement, under-settlement, lost litigation, loss of a chance and other heads of loss
- Employment disputes including claims for alleged under-settlement and lost litigation arising out of the Employment Tribunal and EAT
- Family ancillary relief awards
- Criminal defence
- Wills and trusts

Alicia has been led by many silks in chambers who specialise in professional negligence.

In 2023, Alicia was led by Jamie Carpenter KC in a £3m+ professional negligence claim against a fraudulent solicitor acting as trustee for a victim of clinical negligence.

Previously, Alicia was led by Michael Pooles KC in the defence of an alleged £100m claim brought by a property development company against a solicitors' firm, which settled close to trial. Alicia has also been led by William Flenley QC in a solicitors' negligence dispute.

In 2018, on secondment to Herbert Smith Freehills, Alicia assisted with a multi-billion GBP potential claim against a major City solicitors' firm.

Valuers

Alicia is instructed in a number of high-value lenders' claims brought against valuers in respect of commercial properties, both as sole counsel and as junior counsel. She has extensive experience of acting for both claimants and defendants in valuers' liability claims in relation to residential and commercial property.

Finance

Alicia's work relating to financial professionals is broad, including accountants, IFAs, insolvency practitioners, tax advisors, and insurance brokers.

Alicia's cases include:

- Pursuing a £13m claim against an auditor/accountant, led by Nicola Rushton KC
- Representing accountants in a 3 day trial involving allegations of negligent advice on tax
- Advising an insurance broker accused of failures in placing insurance and handling claims
- Pursuing and defending contribution claims involving solicitors, surveyors and accountants

Alicia's expertise in professional negligence is closely supported by her practices in insurance coverage disputes, commercial disputes, property disputes and regulatory law.

Insurance

Alicia has strong expertise in insurance coverage and brokerage claims. She is frequently instructed to

advise policyholders and insurers on insurance disputes including notification, aggregation, exclusions and other coverage issues.

Recently, Alicia has been instructed to advise on cover under a professional negligence policy which included Insurance Act 2015 extensions for inadvertent breaches by the policyholder. She has also been instructed to advise on the extent of cover for a complex commercial dispute under a professional negligence policy.

Alicia has advised on:

- High-value potential liabilities related to Grenfell under a professional negligence policy
- Directors and officers' cover under a D&O policy relating to a major insolvent corporation
- Claims on a bond regarding fraud by insolvency practitioners
- Employers' liability policies relating to a terrorist attack against employees.
- Claims against bond issuers regarding fraud by insolvency practitioners
- Fire/property damage claims

Alicia advised extensively on insurance disputes when on secondment to Herbert Smith Freehills' insurance litigation team in 2018.

Commercial law

Alicia's commercial practice is busy, varied and expanding. She is frequently instructed in significant commercial claims, both in her own right and as a junior. She has experience of freezing orders.

She is currently led by Nicola Rushton KC in a civil fraud claim for losses of over £7m of investment in an unregulated collective investment scheme. Alicia was also led by Nicola Rushton KC in a linked claim for over £16.5m.

Alicia was led by Simon Howarth KC in defending a £4m commercial dispute involving a solicitor's business, which has led to associated issues of costs law and regulation.

In her sole counsel practice, Alicia advises on a range of commercial claims including haulage, hire, agency, sale and purchase agreements and non-compete clauses. For example, she was successful in striking out a claim at trial for non-solicitation fees as an abuse of process, and recovering substantial defendant costs.

Alicia was led by Bernard Livesey QC in the first instance decision of the High Court (ChD) of *Willers v Gubay*, which led to the recognition by the Supreme Court of the new tort of malicious prosecution (UKSC 2015/0154).

Regulatory and disciplinary

Alicia's work in professional regulation involves issues of dishonesty, incompetence, health and reporting. She acts for registrants and regulators, including acting for the SRA in a misconduct case which concerned complex health issues for the respondent: *SRA v Ashurst*, (8 February 2018, Law Society Gazette).

Alicia advises parties throughout ombudsman investigations (including FOS and the Legal Ombudsman) and contentious regulatory issues. Alicia has been led by William Flenley KC and Simon Howarth KC in complex cases involving the SRA and FCA.

Costs

Alicia is led by Jamie Carpenter KC in the high-profile litigation funding case of *Bugsby v Therium Litigation Funding and Omni Bridgeway (Fund 5) Caymen Invt Ltd* (2023).

Alicia is led by Robert Marven KC in the Court of Appeal hearing in *Kenig v Thomson Snell Passmore* (2023), the first case to consider the correct approach to beneficiary assessments of solicitors' costs under section 71(3) of the Solicitors Act 1974. She appeared as sole counsel in the first instance hearing.

Alicia has a specialist practice in costs which dovetails with her specialisms in professional liability and commercial disputes. She regularly appears in costs hearings before costs judges and County Court judges, and advises on costs issues.

Alicia's practice includes:

- Appearing in first instance and appeal courts regarding points of principle on costs, such as the application of QOCs and Part 36 offers, and jurisdiction for detailed assessment.
- Achieving significant discounts for parties facing high bills of costs, including acting on a £1.8m costs dispute with Imran Benson which resulted in a very favourable outcome for the client.
- Improving return for receiving parties, even where there has been a failure to update costs budgets.
- Acting in solicitor-client disputes and detailed assessments.

She is keen to work closely with parties to assist them at an early stage on costs issues and to ensure that their strategy achieves a commercial result.

What others say

"Alicia is my go-to counsel on all professional negligence claims, especially those involving claims against solicitors." *Chambers UK, 2024*

"Alicia is very approachable and incredibly knowledgeable. She is a very safe pair of hands on cases

and instils confidence that all points will be picked up and well analysed." *Chambers UK, 2024*

"Clear and smooth delivery of arguments to the judge, and a good understanding of the nuances of the case law allowing her to quickly rebut opposing arguments." *Legal 500, 2024*

"Alicia has gravitas beyond her years. She is truly excellent." *Chambers UK, 2023*

"Alicia is a rising star. She is very approachable and at ease with lay clients." *Chambers UK, 2023*

Further information

Membership

Alicia is a member of the Professional Negligence Bar Association, Chancery Bar Association, British Insurance Lawyers Association, London Common Law & Commercial Bar Association, Association of Regulatory and Disciplinary Lawyers and Bar Human Rights Committee.

Personal

Alicia enjoys dancing, music and travelling. Alicia is committed to pro bono work and frequently acts for clients via Advocate and the Centre for Women's Justice.

Alicia is a pupil supervisor and a member of the Wellbeing Committee for chambers. She also appears on interview panels for pupillage and tenancy.

Alicia is actively involved in Outreach and she mentors candidates from under-represented groups, including through Bridging the Bar. She regularly speaks in schools and colleges to reach under-represented groups.

ICO Data protection registration number: **ZA054031**.

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