



## Clare Stanley QC

Call: 1994

QC: 2015

cstanley@wilberforce.co.uk

### Clerks' Details

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### Qualifications and Appointments

- BA Hons (Cantab) (Law Tripos, Downing College)
- BEc (University of Adelaide, Australia)

***“Clare is a total star. She is a fierce cross-examiner, super-smart, hard working and gets to the key issues instantly”*** The Legal 500 2022

### Memberships

- Chancery Bar Association
- COMBAR
- INSOL

### Publications

- "Vulnerable gifts made by vulnerable people", (2017) *Trusts & Trustees* 23(5): 542-557
- Facing the consequences", (2015) *T.E.L. & T.J.*, 171(Nov), 11-15
- "A question of trust: the Quistclose trust – clarity at last" (2015) 8(3) *C.R. & I.* 106-109
- "Latches and Limitations" (2014) *Trusts & Trustees* 20(9): 958-965
- "The personal liability of directors to third parties and shareholders", *Trusts & Trustees* 2013 19(5) 388-429
- "Traps for the unwary: the pitfalls of ad hoc arbitration", (2012) *Trusts & Trustees* 18 332-340
- Fraud – Running the Risk", (2009) *Solicitor's Journal*, 8 September

### Practice Overview

Clare's practice focuses heavily on three key areas: commercial / business disputes, professional liability, and private client/trust litigation.

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Clare is usually instructed in highly contentious and often hostile disputes, and provides advice across the range of areas in which she practices, helping clients to achieve their commercial aims without the need to prolong litigation.

Praised for her written and oral advocacy, she is often involved in actions brought onshore and offshore in litigation involving claims for breach of trust and fiduciary duty, cross-border insolvency and major fraud cases.

#### Clare is recommended in the directories for:

- Commercial litigation
- Trusts and Probate
- Professional negligence
- Offshore
- Civil Fraud
- Insolvency

In the 2022 edition of Chambers and Partners, Clare was described as **"great on her feet and quickly gets a sense of where the judge is heading."** *"She is completely across the finer points of trusts law and never loses sight of the clients' broader aims. She is a pleasure to work with and delivers excellent results."* Clare is **"Unflappable and has brilliant knowledge and experience of the law and the court process generally. She has pretty fearsome cross-examination skills and is a very good tactician."** *"She is a go-to barrister for any professional negligence case with chancery issues."* While The Legal 500 2022 praises Clare as **"a skilled advocate who builds great relationships with clients."** *"She is a fierce cross-examiner, super-smart, hard working and gets to the key issues instantly."* She's **"Technically brilliant, really easy to work with and great on her feet."** *"Clare is willing to take a chance on cases which others would dismiss."* She is **"a highly skilled and utterly fearless advocate, and a first choice for representation in any contentious trusts or estate situation."**



## Publications cont

- Hedge Funds – Can investors recover their losses?, (2008) *Practical Law Company*, December
- Former joint editor *Glasson's International Trust Laws*

## Professional Liability

Clare specialises in professional liability claims against solicitors, accountants, brokers, directors and trustees.

- Accountants: negligent tax advice, negligent valuations.
- Directors: negligence, breach of fiduciary duty cases, fraud claims, tracing claims.
- Investment professionals: negligence, breach of fiduciary duty cases, fraud claims, tracing claims.
- Property professionals: negligent valuations.
- Solicitors: negligence claims, and also fraud and trust claims against solicitors.
- Trustees and fiduciaries: acts for beneficiaries, third parties, trustees in claims for negligence, breach of fiduciary duty cases, fraud, constructive trusteeship and asset tracing.

### Recommendations:

- *"Her grasp of the law is phenomenal, and she has immense knowledge which is so wide-ranging. Fantastic in court, very persuasive, and knows how to get the judge on side."* Chambers & Partners, 2021
- *"Claire is superb; she reads everything, understands all the nuances and gives clear pragmatic advice on the law (of which she has an exceptional grasp) and commercial considerations. Extremely client friendly and to top it off, fantastic advocacy skills."* Legal 500, 2021
- *"Superb, a delight to work with. She is very clever and is great with clients."* Chambers & Partners, 2020
- *"She's very precise and incisive in the way she goes about things."* Chambers & Partners, 2020
- *"She is very bright."* Legal 500, 2020

### Recent Cases:

- *Levack v Phillip Ross* [2019] P.N.L.R. 20 – whether money paid by a non-client to a solicitor was held on trust for the non-client, and what were the terms of that trust.
- *Callendo v Mischcon de Reya* [2015] – one of The Lawyer's "Top 20" cases of 2015. Clare acts for the solicitors in a claim in relation to sale of Queen's Park Rangers to Flavio Briatore and Bernie Ecclestone. [Reported in the Court of Appeal on relief from sanctions at [2016] C.P. Rep. 3; [2015] 5 Costs L.R. 849]
- *Page v Unite the Union & EAD Solicitors LLP* (settled) – Clare acted for the solicitors in a claim for alleged negligent handling of claims by Union members for equal pay compensation.
- *Brudenell-Bruce (Earl of Cardigan) v Moore & anor* [2015] W.T.L.R. 373 –acted for the professional trustee in high- profile trial of a trustee negligence claim by the Earl of Cardigan against the trustees of his family's estate.
- *Challinor v Juliet Bellis (A firm)* [2015] EWCA Civ 59 (Court of Appeal) – Clare acted for the successful defendant solicitors in this failed claim that the firm had received monies from non-client investors in a property investment scheme on trust.
- *Rentokil v Goodman Derrick* [2014] EWHC 2994 (Ch) – Clare acted for the successful defendant solicitors in a claim for loss of a chance relating to the sale of Rentokil's office premises in Croydon.

### Other recent cases

- Acting for well-known West End firm in a high value claim for negligent IHT advice
- Acting in a series of cases for solicitors in relation to series of allegedly fraudulent conveyancing transactions
- Acting for well-known firm of solicitors in relation to allegedly negligent advice in defending large scale litigation against trustees