

Rebecca Sabben-Clare KC

Call: 1993 | Silk: 2012

“Rebecca is an incredibly sharp advocate. She thinks on her feet to adapt arguments and is a go-to KC for complex insurance disputes.”

Insurance, Chambers UK Bar 2025



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Rebecca Sabben-Clare KC has a wide-ranging commercial practice, focusing on insurance / reinsurance, professional negligence and general commercial disputes.

Rebecca is listed as a leading silk in the Chambers & Partners UK and Global Directories and The Legal 500 directory. The directories describe her as “*incredibly bright*” and “*very talented*”, praising her ability as “*a fearless advocate...*” and recognising that she is “*very cool, calm and easy to work with*”. She is listed as a leading silk in the fields of commercial dispute resolution, insurance/reinsurance, international arbitration, professional negligence and professional discipline. In 2025 she was shortlisted by Chambers as International Arbitration Silk of the Year and has been nominated by the Legal 500 as Professional Negligence Silk of the Year. In 2024, the Legal 500 shortlisted her in its overall category for Silk of the Year. In 2021, Rebecca won both the Legal 500 and Chambers Awards for Professional Negligence Silk of the Year, an award for which she was also nominated by the Legal 500 in 2018 and 2023. In 2020 and 2023, she was nominated for Insurance Silk of the Year at the Chambers Bar Awards.

Current and recent cases include: the *Russian Aircraft Litigation* (acting for Dubai Aerospace); *Motorola v. Ericsson* (cellular phone patent licence dispute); *Hamilton v. Afghan Global Insurance* (political violence insurance); *Unipol v. Covea* (reinsurance of Covid-19 business interruption losses); *Manchester Building Society v. Grant Thornton* (Supreme Court re-consideration of scope of duty); *Carillion v KPMG* (audit negligence claim following the collapse of Carillion); ICC arbitrations in Paris acting for a Middle Eastern government concerning oil and gas concession agreements; D&O insurance and W&I insurance claims.

Rebecca is a supporting member of the LMAA and a member of the LCIA. She accepts appointments as arbitrator. She has been appointed as arbitrator in Bermuda Form, LMAA, LCIA, ICC, SCC and ad hoc arbitrations.

Rebecca was a director of Bar Mutual Indemnity Fund Limited from 2013-2025 and served as Chair from 2022-2025.

Expertise

General Commercial Disputes

"Rebecca is one of the best advocates of her generation. She is totally unflappable and totally in command."

Rebecca is a truly outstanding KC who gets to the nub of the issue with lightning speed. She is a powerful, forensic advocate who never gets flustered." – Chambers & Partners

"Rebecca is a phenomenal advocate. She is clear and to the point" – Legal 500

Rebecca is listed as a leading silk in the field of Commercial Dispute Resolution in Chambers & Partners and The Legal 500. Rebecca has a diverse commercial practice. Her expertise and experience includes claims under contracts for oil exploration and production, issues arising from gas supply contracts, letters of credit, hedge fund management, private equity, bond sales, share sale and purchase agreements and long term supply contracts. Her clients include banks, hedge funds, private equity funds and major commodities trading companies.

Selected cases:

- **Motorola Mobility v. Ericsson** [2025] EWHC 539 (Pat) – Acted for Motorola in proceedings concerning the construction of a cellular phone patent licence. Determination of preliminary issues.
- **PA(GI) v Cigna** (2025) – Acted for PA(GI) in proceedings concerning PPI mis-selling. Trial in June 2025 (claim settled before judgment).
- **Dale v. BDO LLP (Re NMCN Plc)** [2025] EWHC 436 (Ch) – Scope of administrators' powers under ss.235 and 236 of Insolvency Act 1986.
- **The Russian Aircraft Litigation** [2025] EWHC 1430 (Comm) – Acted for Dubai Aerospace in claims under lessors' insurance policies following Russian invasion of Ukraine.
- **Doyle v. HDI Global Specialty SE** [2023] EWHC (KB) 2722 – Test case concerning cavity wall insulation. Proper procedure and strike out rules.
- **McKillen v. Selene SARL** [2023] EWHC 1397 – Acted for hotelier Paddy McKillen in dispute with Qatari interests. Stay of court proceedings in favour of arbitration.
- **Manchester Building Society v Grant Thornton** [2021] UKSC 20 – acted for Manchester Building Society in claim against former auditors arising from hedge accounting for interest rate swaps. Now the leading authority on scope of duty following a successful appeal to the Supreme Court.
- **Rok Plc v S Harrison Group** [2011] EWHC 270 – Preliminary issues on construction of terms in a Share Sale Agreement.
- **Curtis v Lockheed Martin** [2008] EWHC 2691 – Trial of claim for breach of warranties under Share Sale Agreement.
- **Graham Calvert v William Hill Credit Limited** [2008] EWHC 455 – Bookmakers' duties of care in relation to "self-exclusion".
- **BBC Worldwide Ltd v Bee Load Ltd** [2007] EWHC 134 – Construction of contracts for potential exploitation of archive recordings.
- **Warner Chappell v Bolton** – Action against singer/songwriter brought by insurers following breach of copyright action. Liability under contract.

Insurance & Reinsurance

"Not only does she understand the client's business, but she can adapt very quickly to client preferences and has the ability to think outside the box to find commercial solutions." – Chambers and Partners.

“A fearless advocate with outstanding experience of insurance law” – Legal 500.

Rebecca is listed as a Band 1 leading silk in the field of insurance and reinsurance in the Chambers & Partners and Legal 500 directories. She acts for policyholders and insurers across a wide range of disputes and policies. Recent instructions include W&I policy claims, D&O coverage disputes, claims under policies insuring renewable energy risks, marine insurance claims, political risk and political violence policy claims, business interruption claims, cyber cover and the Russian Aircraft Litigation.

Selected cases:

- **The Russian Aircraft Litigation** [2025] EWHC 1430 (Comm) – Acted for Dubai Aerospace in claims under lessors’ insurance policies following Russian invasion of Ukraine. Issues concerning all risks and war risks cover and test for loss.
- **Hamilton Corporate Member v. Afghan Global Insurance** [2024] EWHC 436 (Comm) – Acted for Anham in claim under political violence insurance policy following the seizure of a warehouse in Afghanistan by the Taliban. Construction of policy exclusions.
- **Markel International Insurance Company v. General Reinsurance Co** [2024] EWHC 253 (Comm) – Acted for Markel in reinsurance claim arising from Covid-19 business interruption losses. Issues concerning construction of “Hours Clause” and aggregation of claims. Meaning of “catastrophe”.
- **ABN Amro v. RSA** [2021] EWHC 442 (Comm), [2021] EWCA Civ 1789: 5 week Commercial Court trial following collapse of cocoa trading company. Issues concerning policy coverage / credit risk insurance, avoidance and brokers’ negligence; appeal to Court of Appeal on construction and estoppel.
- **Insurance Company of the State of Pennsylvania v. Equitas Insurance Ltd** [2014] Lloyd’s Rep. IR 195 – parallel proceedings in England and New York. Whether New York proceedings should be restrained by anti-suit injunction or the English action. A related claim against insurance brokers settled in 2015.
- **Teal Assurance Co v. Berkley Insurance (Europe) Ltd** [2013] UKSC 57; [2013] 4 All ER 643; [2016] LRIR 134 – order in which claims attached to a programme of liability insurance and reinsurance.
- **Orient-Express Hotels Limited v. Assicurazioni Generali SPA t/a Generali Global Risk** [2010] Lloyd’s Rep. IR 531 – business interruption arbitration involving the impact of Hurricanes Katrina and Rita on the New Orleans luxury hotel industry.
- **AC Ward v. Catlin** [2010] Lloyd’s Rep. IR 695 – Claim for indemnity following theft of goods from warehouse. Issues of breach of warranty and non-disclosure.
- **Markel Capital Ltd v. Gothaer Allgemeine Versicherung Ag And Another** [2009] Lloyd’s Rep. IR 433 – Reinsurance – Directors’ and officers’ cover – Whether claims cooperation clause incorporated into reinsurance agreement – Whether reinsureds in breach of clause – Summary judgment.
- **Mopani Copper Mines Plc v. Millennium Underwriting Ltd** [2009] Lloyd’s Rep IR 158 – Reinsurance – Slip scratched for Construction/Erection and Operational Risks – Condition for extension of coverage running from date of commissioning of final building and for operational risks inserted subject to approval by reinsurers – Condition later agreed with deletion of cover for operational risks.
- **Absalom v. TCRU** [2006] 2 Lloyd’s Rep. 129 a series of disputes concerning payment of brokerage on personal accident and medical accident business.
- **Hollywood 4 and 5** – Film finance insurance litigation.
- **The Metro Litigation**– Recovery and insurance actions arising from collapse of oil trading company.
- **The “Starsea”** [2001] 1 Lloyd’s Rep. 389 – Scope of duty of utmost good faith at the claims stage and effect of s.39(5) of the Marine Insurance Act 1906 (House of Lords).
- **D.P. Mann v. Lexington** [2001] 1 Lloyd’s Rep.1 – Reinsurance, aggregation of claims.

International Arbitration

"Highly regarded for her expertise in multimillion-pound LCIA and ICC arbitrations. She is frequently instructed by top-tier law firms."

"A very good advocate – clear, persuasive and puts forward the case concisely and in a very attractive way" – Chambers and Partners

Rebecca is listed as a leading silk in the field of International Arbitration in the Chambers & Partners and Legal 500 directories. Much of Rebecca's recent work has been in the field of International Arbitration. She has appeared as counsel in LMAA, LCIA, ARIAS, Bermuda Form and ICC arbitrations. She has been appointed as arbitrator in Bermuda Form, LMAA, LCIA, SCC and ad hoc arbitrations. Rebecca is familiar with issues concerning jurisdiction and the proper conduct of arbitrations. She has settled and appeared on applications for permission to appeal from arbitration awards and applications to remit for misconduct.

Recent arbitrations as counsel include:

- **McKillen v. Selene SARL** [2023] EWHC 1397 – Acted for hotelier Paddy McKillen in dispute with Qatari interests. Stay of court proceedings in favour of arbitration.
- Arbitration concerning sale of superyacht 2021
- ICC arbitrations in Paris concerning oil exploration and production rights 2011-2020
- LCIA arbitration concerning sale of goods / metal smelting 2017
- LCIA arbitration under contract of political risk insurance 2016
- LCIA arbitrations concerning commercial fraud 2016
- LCIA arbitration concerning security agreements and long term supply contract 2015
- **X v. E, F** (2013) WL 5826331 – freezing injunction in support of Singapore arbitration.
- LMAA arbitration concerning sale and long term charter of new build vessel 2013 This case included an application to Court under s.32 of the Arbitration Act 1996 to determine the Tribunal's jurisdiction.
- LCIA arbitration concerning the condition of a floating oil storage and production unit 2012

Rebecca accepts appointments as arbitrator. She is a supporting member of the LMAA and a member of the LCIA.

Professional Negligence and Professional Discipline

"Rebecca is outstanding."

"She's great for professional negligence across the board." – Chambers and Partners.

"Great on paper and in court" – Legal 500.

Rebecca is listed as a Band 1 leading silk in the field of professional negligence in the Chambers & Partners and Legal 500 directories. She is also listed as a leading silk in the field of professional discipline. She has exceptional experience of claims against auditors, as well as broader experience of claims for professional negligence against accountants, solicitors, insurance brokers, engineers, bookmakers, valuers and other professionals.

Selected cases:

- **Dale v. BDO LLP (Re NMCN Plc)** [2025] EWHC 436 (Ch) – Scope of administrators’ powers under ss.235 and 236 of Insolvency Act 1986. Production of audit working papers.
- **Carillion PLC v. KPMG LLP** [2020] EWHC 1416 (Comm) – Audit negligence claim following the collapse of Carillion Plc. Pre-action disclosure. Claim settled after close of pleadings.
- **Manchester Building Society v Grant Thornton** [2021] UKSC 20 – Audit negligence claim. Trial heard in early 2018, appeal to the Court of Appeal in 2019 and appeal to the Supreme Court in 2020. Issues concerning hedge accounting in relation to interest rate swaps. Now the leading case on scope of duty.
- **Executive Counsel to the Financial Reporting Council v Deloitte LLP** – Acted for the Executive Counsel to the FRC in disciplinary proceedings against Deloitte concerning audits of Autonomy Plc.
- **Executive Counsel to the Financial Reporting Council v (1) Morgan (2) KPMG LLP** – Acted for the Executive Counsel to the FRC in disciplinary proceedings against the former Finance Director to the managing agent of a Lloyd’s Syndicate and the Syndicate’s auditors. Issues concerning reserving for motor insurance claims.
- **Cattles Limited v PricewaterhouseCoopers LLP** – Audit negligence claim following the collapse of the Cattles Group, formerly one of the largest providers of consumer credit finance in the UK. Settled at start of trial 2015.
- **Graham Calvert v William Hill Credit Limited** [2008] EWHC 455 – Bookmakers’ duties of care in relation to “self-exclusion”.
- **Absalom v TCRU** [2006] 2 Lloyd’s Rep. 129 a series of disputes concerning payment of brokerage on personal accident and medical accident business.
- **Somatra v Sinclair Roche & Temperley** [2003] EWCA.1474 – Solicitors’ negligence action concerning conduct of a marine insurance claim.

Shipping & Transport

Rebecca appears in shipping disputes in the Commercial Court and in LCIA and LMAA arbitrations. Her experience and expertise includes disputes concerning charterparties, bills of lading, long term COAs, shipbuilding, ship sale and ship finance.

Selected cases:

- Arbitration concerning sale of super yacht (2021).
- LMAA arbitration concerning construction of NYPE charterparty 2015.
- LCIA arbitration concerning the condition of an FPSO. Claims under MOA. Arbitration heard in 3 stages, 2010-2012. 4 arbitrations under shipbuilding contracts, settled in 2012 and 2013.
- LMAA arbitration concerning sale and long term charter of new build vessel. Settled 2013.
- LMAA arbitration concerning STS transfers, preliminary issues heard August 2012.
- **The “Northgate”** [2008] 1 Lloyd’s Rep. 24 – Construction of charterparty laytime/demurrage provisions; waiver and estoppel.
- **“Darfur” Blue Nile Shipping Company Ltd And Another v Iguana Shipping And Finance Inc. And Others** [2004] 2 Lloyd’s Rep. 469 – Limitation of liability – Collision in River Seine – Time-charterers of colliding vessel bringing action against owners of vessel – Vessel owners bringing limitation action and constituting limitation fund.

- **“Dynamic” Ocean Marine Navigation Limited v Koch Carbon Inc.** [2003] 2 Lloyd’s Rep. 693 – Charter-party (Time) – Redelivery – Hire – Vessel arrested by charterers – Whether hire continued to be payable – Whether charterers in repudiatory breach of contract in redelivering vessel – Owners not accepting repudiation – Whether owners bound to accept charterers’ repudiation and sue for damages – Whether owners were entitled to recover damages for repudiatory breach equivalent to the hire for the period of the arrest.
- **“Hill Harmony” Whistler International Ltd v Kawasaki Kisen Kaisha Ltd; Kawasaki Kisen Kaisha Ltd v Tokai Shipping Co. Ltd** [1998] 2 Lloyd’s Rep. 367 – Charter-party (Time) – Employment – Navigation – Charterers ordered vessel to follow great circle route – Master disregarded orders and followed more southerly route – Voyage took longer and more bunkers consumed.

Memberships

Director of Bar Mutual Indemnity Fund Limited 2013-2025 (Chair from 2022-2025)

Member of COMBAR. Formerly served on the COMBAR Executive Committee

Supporting member of the LMAA

Member of the LCIA

Bencher of Gray’s Inn

Education

M.A. (Oxon). Scholar, New College Oxford

Grays Inn Senior and Junior Scholarships