



## Thomas Lowe QC

Call: 1985

QC: 2008

tlowe@wilberforce.co.uk

### Clerks' Details

+44 (0)20 7306 0102

practicemanagers@wilberforce.co.uk

### Qualifications and Appointments

- Upper Second Class degree (LLB) from London School of Economics
- First Class LLM at Cambridge.
- Inner Temple Queen Elizabeth scholarship at the Bar and a number of prizes at The College of Law

### Memberships

- Chancery Bar Association
- Commercial Bar Association
- British and German Jurists Association

***“A fantastic trial advocate - he is excellent in court.”***

Chambers & Partners 2021

## Publications

- [Arbitration of Trust Disputes](#) (2016) *Issues in National and International Law*
- [Vindicating shareholder rights under nominee and custodian agreements](#) (2015) *Butterworths Journal of International Banking and Financial Law* (6) JIBFL 331
- [Alkers et al \(as joint official liquidators of Saad Investments Company Limited\) v Samba Financial Group](#) (2014) *Wilberforce Legal Digest* (Issue 1) March 2015
- [Mixed and multiple derivative claims to address reflective loss problems](#) (2014) *Trusts & Trustees* 20 (9): 930-032
- [Is liability of trustees for losses in share portfolios illusory?](#) (2012) *Corporate Rescue Insolvency*
- [How many times can I do this? Independent fund directorships](#) (2012) *Butterworths Journal of International Banking and Financial Law*

## Practice Overview

Tom has acted in numerous reported and high-profile cases and cross-border disputes before a large variety of tribunals in a number of different jurisdictions. Much of his work stems from collapses of complex investment structures and from high-value cross-border private client disputes.

He has developed a substantial offshore practice and is one of very few barristers who have had full and not merely ad hoc practising certificates in both the BVI and the Cayman Islands. Hence he has acted for a variety of different parties in hedge fund and banking disputes. *Bear Stearns, Re Sphinx, Re Medley Opportunity Fund* in the Cayman Islands and *Kingate Global Fund v Kingate Management Ltd* in Bermuda.

He is regularly called upon to give expert evidence on both UK and offshore law in the US on matters of company law and the liability of fiduciaries.

Many of the cross-border disputes such as *SAAD v AHAB* have involved asset tracing in the context of commercial or financial fraud but he has had to apply this knowledge in cases in which the primary focus might be as diverse as professional negligence, financial services, shareholder disputes or even judicial review.

Tom has also been involved in a number of leading high value trust and probate cases. Although these cases or his involvement tends to be confidential, reported examples include well-known decisions such as *Walker v Stones and Al Bassam* in the UK, *Re A v N* and *Re Circle Trust* in the Cayman Islands and *Wang Din Shan v Nina Wang* in Hong Kong.

Tom is ranked as a leading silk in Chambers & Partners, 2021 which describes him as ***“A fantastic trial advocate - he is excellent in court.”***, ***“A devastating cross-examiner. A real iron fist in a velvet glove.”***, ***“He is excellent and knows the Caymans inside out.”*** and is ***“Very creative and an intellectual powerhouse.”***

The Legal 500 2021 edition describes Tom as ***“He is user-friendly, client-focused and easy to work with, able to grapple with the most complex of cases.”*** ***“An extremely effective cross examiner and very effective with clients.”*** and the ***“Standout star of the offshore bar - extremely bright and a pleasure to work with.”***

The previous Chambers & Partners 2020 edition describes Tom as ***“an outstanding intellect, an amazing advocate and great at strategy. Very approachable, always responds in a timely fashion, always gets everything done - a solicitor's dream.”***



---

## International Arbitration

Tom has appeared before a range of ad hoc private tribunals and been involved in a number of arbitrations in the commercial field as well as shareholder and partnership disputes. Tom is currently involved in an initiative to open up arbitration in the Caribbean for Latin American parties.

Reported examples of arbitration cases include *Fidelity Management SA v Myriad International Holdings* [2005] EWHC 1193 which arose from an ICC arbitration concerning Greek licensing transaction and *AL Thompson v Beazeley* [2011] 2 CILR 496 which arose from an insurance dispute.