



Thomas Robinson

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Clerks' Details

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Qualifications and Appointments

- One of three nominees for Restructuring / Insolvency Junior of the Year, Chambers Bar Awards, 2013
- "Highly commended" in Legal Week's "Stars at the Bar", 2013
- MA (Hons) Corpus Christi College Oxford
- Hardwicke Scholarship, Lincoln's Inn
- Judicial Assistant to Dyson LJ, 2005

"A skilled advocate and negotiator who consistently provides clear, pragmatic legal advice."

Chambers & Partners, 2019

Memberships

- Association of Pension Lawyers
- Insolvency Lawyers Association
- Society of Computers and Law
- Chancery Bar Association

Publications

- Co-editor of Kerr & Hunter on Receivers and Administrators, Sweet & Maxwell
- Judicial review in pensions cases—appropriate forum for pensions complaints (R (on the application of Grace Bay II Holdings SARL and others) v The Pensions Regulator) (2017) Lexis PSL
- Contributor to Cases Alerter for Corporate Rescue and Insolvency (Lexis Nexis).

Practice Overview

Thomas has a strong commercial / chancery practice with particular emphasis on pensions, insolvency and commercial litigation and arbitration. He has been recommended as a leading junior by The Legal 500 and Chambers UK for several years.

He has been nominated as "Insolvency / Restructuring Junior of the Year" at the Chambers UK Bar Awards and was 'highly commended' in Legal Week's "Stars at the Bar".

His six month placement with the commercial litigation department of a firm in Guernsey at the outset of his practice gave him experience of off-shore litigation as well as direct exposure to a wide range of clients.

Thomas has been recommended in the legal directories for a number of years. Recent entries include: *"An excellent junior with a very collegiate approach."* *"He's incredibly tenacious and a really good opponent. He's straight with his arguments and very, very impressive."* (Chancery Commercial, Chambers & Partners 2020) *"A skilled advocate and negotiator who consistently provides clear, pragmatic legal advice."* *"Super-bright."* (Pensions, Chambers & Partners 2019); *"Has a very efficient, linear mind, and structures his arguments extremely well."* *"He's extremely bright and makes everything easy to work through, even if it's complex - nothing rattles him. Very organised in his approach, he knows exactly what he's doing and when he's doing it."* (Chancery: Commercial, Chambers & Partners 2019); *"He is very thorough, concise and a great team player. He is very confident, persuasive and takes a very commercial approach."* (Restructuring / Insolvency, Chambers & Partners 2019) *"A shrewd junior who is an excellent team player"* (IT & Telecoms, Legal 500 2019). *"An outstanding team player with a really astute commercial ability"* (Insolvency, Legal 500 2019). *"He is highly intelligent and excellent on his feet"* (Pensions, Legal 500 2019).



Insolvency

Thomas practises a wide range of corporate and personal insolvency work. He is currently co-editing and contributing to a new edition of Kerr & Hunter on Receivers and Administrators. In corporate insolvency he acts for officeholders, creditors and companies. He advises on issues from the interpretation of CVAs to administration expenses to office-holder remuneration.

Notable cases include:

- *Re Carlauren Group Limited* [2019]. Acting for the administrators of a luxury care home group, amid allegations of Ponzi schemes and misappropriation of assets.
- *Courtwood Holdings SA v Woodley Properties Ltd & Ors* [2018] EWHC 2163 (Ch): Three week multi-million pound knowing receipt trial in context of fixed charge receivership of property assets.
- *Fieldfisher LLP v Pennyfeathers Limited* [2016] EWHC 566 (Ch). Successful resistance of administration application on basis that the alleged debt was subject to an arbitration clause, and thus *Salford Estates (No.2) Ltd v Altomart Ltd* [2014] EWCA Civ 1575 applied by analogy.
- *Hamilton-Smith v CMS Cameron McKenna LLP* [2016] EWHC 1115 (Ch). Anti-suit injunction relating to claims arising from the liquidation of Stanford International Bank in Antigua. Instructed by the former office-holders.
- *Re Storm Funding* (in administration) [2014] Bus L R 454. Considered issues including the Parliamentary intention of the FSD regime and the insolvency rule against "double dipping". Acted for the Pensions Regulator with Raquel Agnello QC and Jonathan Hilliard.
- *Re Nortel GmbH and Others* [2014] AC 209, [2013] UKSC 52, [2011] EWCA Civ 1124 & [2010] EWHC 3010. Successful resistance of application by administrators of Nortel and Lehman Brothers in the High Court for declaration that an FSD and CN issued under Pensions Act 2004 to insolvent companies did not give rise to any right to recovery. Briggs J. held they gave rise to administration expenses which was upheld by Court of Appeal in October 2011. In July 2013 the Supreme Court decided that FSDs give rise to provable debts. Listed by the Lawyer in their 'Top 20 cases of 2012'.
- *Re Calibre Solicitors Limited* (in administration) [2014] All ER (D) 187. Consideration of proper construction of Insolvency Rule 2.109(1B).
- *Napleton v Hewitt* [2013] EWHC 2778 (Ch). Successful resistance to challenge over CVA Supervisor's treatment of proof of debt.
- *Caldero Trading v Beppler & Jacobson Ltd* [2012] EWHC 4031 (Ch). Concerned extent of provisional liquidators' powers to obtain documents under various court orders. Acted for provisional liquidators from BDO appointed over a UK company owning major Montenegro hotels.