



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

"He gives top-quality advice and is very practical and very on point."

Chambers & Partners, 2018

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 (including IT matters). 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: "**highly competent – he's undoubtedly going to go a long way**" (Restructuring / Insolvency, Chambers & Partners 2017); "**He's very considered, level-headed and a good strategist.**" "**He's very good in court; he's very calm and won't be pushed around**" (Pensions, Chambers & Partners 2017); "**One of the best pensions regulatory lawyers in the field**" (Legal 500 2016); "**He is brilliant and he grows in strength all the time.**" (Pensions, Chambers & Partners 2016); "**He's shown himself to be very bright – he can pick up any issue you throw at him, is very pragmatic and is great on his feet and at providing opinions.**" (Restructuring / Insolvency, Chambers & Partners 2016); "**Bright, hard-working, unflappable and possessed of much common and commercial sense.**" "**He is a star in the making as he's very bright and is able to get through a huge workload to cut to the issues quite quickly.**" (IT, Chambers & Partners, 2016) "**knows his way around pensions law like the back of his hand.**" "**He's very, very bright and a good advocate**" (Pensions, Chambers & Partners 2015); "**He combines a surefooted academic approach with a practical slant.**" (Restructuring / Insolvency – Chambers UK and Chambers Global 2015) "**Intelligent, responsive and with a good client manner.**" (Insolvency – Legal 500 2014) "**One of the cleverest juniors around.**" (Pensions – Legal 500 2014; "**He is eloquent on his feet and has a good court presence**" (Restructuring/Insolvency – Chambers UK 2014 and Chambers Global 2014); "**Tom is first-rate in relation to his written advice**" (IT & Telecoms, Chambers & Partners 2014); someone who "**brings the exceptional attention to detail that you need on IT disputes**" (IT & Telecoms, Chambers & Partners 2013).



Insolvency

Thomas practises a wide range of corporate and personal insolvency work. He is currently contributing to a new edition of Kerr & Hunter on Receivers and Administrators. In corporate insolvency he acts for officeholders, creditors and companies. He has conducted reported High Court decisions on retention of title clauses as sole counsel, and advises on issues from the interpretation of CVAs to administration expenses. Current instructions include advisory work in relation to a Company Creditors Arrangement and unfair prejudice challenge in the BVI and acting for the former liquidators of Stanford International Bank in Antigua.

Notable cases include:

- *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.
- *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.
- *Tanks & Vessels Industries Ltd v Devon Cider Company Ltd* [2009] EWHC 1360 (Ch); [2009] All ER (D) 16 (Jul). Sole counsel in four day retention of title dispute.
- *Bank of Baroda v Patel* [2009] BPIR 255. High Court appeal. Considered issues of standing of bankrupt's wife under s.303 Insolvency Act 1986.
- *Cornelius v Casson* [2008] BPIR 504. High Court appeal against lower court refusal to set aside statutory demand for post IVA debts. Thomas successfully represented the petitioner both at first instance and on appeal.
- *Smedley v Brittain* [2008] BPIR 219. Leading case on applications by Bankrupts to remove their Trustee, under section 298 Insolvency Act 1986. Also considered Human Rights implications of mail redirection orders under s.371.
- *CKE Engineering Ltd (in administration) v Coseley Galvanising Ltd (in administration)* [2007] BCC 975. LTL 3/10/2007. Reservation of title clause; tracing into mixed goods.
- *Neil Francis Hickling v Timothy Baker* [2007] 1 WLR 2386, [2007] 4 All ER 390, Court of Appeal. Dispute over without notice application to commit a bankrupt to prison under s.364 Insolvency Act 1986.